

# MAYOR & COUNCIL AGENDA COVER SHEET

**MEETING DATE:**

May 21, 2007

**CALL TO PODIUM:**

James D. Arnoult

**RESPONSIBLE STAFF:**

James D. Arnoult  
Peter Geiling

**AGENDA ITEM:**

(please check one)

	Presentation
	Proclamation/Certificate
	Appointment
	Public Hearing
	Historic District
	Consent Item
	Ordinance
X	Resolution
	Policy Discussion
	Work Session Discussion Item
	Other:

**PUBLIC HEARING HISTORY:**

(Please complete this section if agenda item is a public hearing)

Introduced	
Advertised	
Hearing Date	
Record Held Open	
Policy Discussion	

**TITLE:**

Resolution of the Mayor and City Council authorizing the City Manager to negotiate and execute a contract for Construction Quality Management Services and LEEDS Commissioning for the Gaithersburg Indoor Aquatic and Recreation Center (\$140,000.00 annually)

**SUPPORTING BACKGROUND:**

The construction of the Gaithersburg Indoor Aquatic and Recreation Center is an important project for the City. It is the City's largest public works project in terms of funding and square feet. The project, the City's first LEED Silver certified project, is currently in design with construction anticipated to begin in summer 2008. One of the LEEDS requirements is the owner retain an independent LEEDS certified commissioning agent and a Construction Quality Management (CQM) firm to insure adherence to all specifications and requirements.

Staff is seeking approval to retain the services of Mr. Edward Mandley in the estimated amount of \$140,000.00 annually for the project's estimated three year duration. This represents an average level of effort of approximately 30 hours per week, which will be adjusted depending on project activity. Mr. Mandley will also serve as the LEED commissioning agent for the Olde Towne Teen Center and provide support services for other projects as may required.

The annual cost is comparable to the CQM expenditures on recent projects such as the youth center at Robertson Park and is within the amount budgeted for CQM for the project. However, staff believes that by contracting directly with Mr. Mandley we will get more hours devoted to the project than by contracting with a CQM firm.

Edward Mandley is a LEEDS accredited professional specializing in CQM services. He has performed similar services for the City overseeing the construction of the Bohrer Park Activity Building and the Olde Towne Concert Pavilion.

There are sufficient funds for this contract position budgeted in the Capital Improvements Program Budget.

**DESIRED OUTCOME:**

**Vote on Resolution**

# Resolution Request Form

REQUEST FORM FOR RESOLUTIONS PERTAINING  
TO EXPENDITURES FROM THE CITY BUDGET  
(CONTRACTS/PURCHASES, TRANSFER FUNDS)

(Please attach the Mayor and Council Agenda Cover Sheet to this Form. For contracts/purchases, the Cover Sheet MUST include a list of all bidders and bid amounts.)

Requested by: Jim Arnoult Date of City Council Meeting: May 21, 2007

## AUTHORIZING

Purchase  Award Contract  Transfer Funds  Negotiate/  
Execute a Contract

## BID INFORMATION:

Advertisement Date NA

Newspaper(s) NA

Bids Opened/Tabulated (date) NA

## DESCRIPTION OF ITEM(S):

Construction Management and LEEDS commissioning for the New Indoor Aquatic and Recreation Center

## CONTRACTED/PURCHASE FROM:

Company Name: Edward Mandley  
Street Address: 9906 Broad Street  
P. O. Box Number

City/State/Zip Bethesda, MD 20814

CONTRACT/PURCHASE AMOUNT: \$ 140,000.00 (annual)

Check One: In the Estimated Amount of  Not to Exceed

FUNDS TO BE EXPENDED FROM: Operating Budget  Capital Improvements Budget

Account Number: 3343 591100 03-1 CIP #03-1

(For Finance Department use only; not to be included in the Resolution)

VERIFICATION OF AVAILABILITY OF FUNDS Available  Not available

Jim Arnoult 5/21/07  
Finance Dept. Date

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE MAYOR AND CITY COUNCIL  
AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR  
CONSTRUCTION QUALITY MANAGEMENT SERVICES FOR  
THE GAITHERSBURG INDOOR AQUATIC AND RECREATION CENTER PROJECT

WHEREAS, Section 57 of the City Charter provides that the City Council may permit negotiations of contracts without sealed bids for products and services, where in the opinion of the Council, the interests of the City would be best served by negotiated contracts; and

WHEREAS, THE City is in need of a LEEDS Certified Construction Quality Management professional for the Gaithersburg Indoor Aquatic and Recreation Center Project; and

WHEREAS, the Mayor and Council have determined to award a contract for Construction Quality Management Services; and

WHEREAS, the City wishes to retain the services of a construction quality management professional; and

WHEREAS, it is recommended that a contract be awarded for; LEEDS Commissioning and Construction Quality Management Services for the Gaithersburg Indoor Aquatic and Recreation Center Project:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Gaithersburg, that the City Manager be and he hereby is authorized to negotiate and award a contract to Edward Mandley, 9906 Broad Street Bethesda, Maryland 20814, for LEEDS Commissioning and Construction Quality Management Services, in the estimated annual amount of One-Hundred Forty Thousand Dollars (\$140,000.00); said funds to be expended from the Capital Improvements Budget.

ADOPTED by the Mayor and City Council this 21<sup>st</sup> day of May, 2007.

\_\_\_\_\_  
SIDNEY A. KATZ, MAYOR and  
President of the Council

THIS IS TO CERTIFY that the foregoing  
Resolution was adopted by the City Council  
in public meeting assembled on the 21<sup>st</sup> day  
of May, 2007.

\_\_\_\_\_  
David B. Humpton, City Manager