

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:

October 6, 2008

CALL TO PODIUM:

Peter Geiling

RESPONSIBLE STAFF:

Peter Geiling
James D. Arnoult

AGENDA ITEM:

(please check one)

<input type="checkbox"/>	Presentation
<input type="checkbox"/>	Proclamation/Certificate
<input type="checkbox"/>	Appointment
<input type="checkbox"/>	Public Hearing
<input type="checkbox"/>	Historic District
<input type="checkbox"/>	Consent Item
<input type="checkbox"/>	Ordinance
<input checked="" type="checkbox"/>	Resolution
<input type="checkbox"/>	Policy Discussion
<input type="checkbox"/>	Work Session Discussion Item
<input type="checkbox"/>	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 Authorizing the City Manager to Award a Contract for Construction of the Olde Towne Youth Center Project (\$3,156,130)

SUPPORTING BACKGROUND:
<p>Request: The Mayor and City Council authorize the City Manager to award a contract to Warner Construction for the construction of the new 6,500 square foot Olde Towne Youth (\$2,922,342) and an approximate eight percent (8%) contingency (\$233,788) for a total of \$3,156,130.</p> <p>Background: The project was bid on June 23, 2008. On August 18, 2008 the City received ten bids. The lowest responsive bid at \$3,131,457 was nearly fifteen percent (15%) over the City's construction budget, leaving no construction contingency while reducing the furniture, fixture, and equipment budget in half. On September 2, 2008, the City Council authorized the rejection of all bids and allowed City staff to negotiate with the lowest responsive and responsible bidder, Warner Construction. City staff, working with the low-bidder and the Architect/Engineer (BMK), was able to reduce the costs by 7% or \$233,788 allowing enough funds for construction, a contingency of eight percent (8%), a LEED Silver certification, and approximately \$164,746 for furniture, fixtures, and equipment (FFE) which will not be included in the contract with Warner.</p> <p>Recommendation: City staff recommends the Council authorize the City Manager to execute a construction contract with Warner Construction, allowing the project to move forward within the current schedule. The base construction contract value is \$2,922,342 with an 8% contingency or \$233,788. This brings the total funding request to \$3,156,130.</p> <p>Fiscal Impact: This project is being funded through Community Development Block Grant funds (04-1B) and the Capital Improvements Projects budget (06-1).</p>

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: Peter Geiling Date of City Council Meeting: October 6, 2008

AUTHORIZING

Purchase _____ Award Contract _____ Transfer Funds _____ Negotiate / Execute a Contract X

RFP INFORMATION:

Advertisement Date June 23, 2008

Newspaper(s) Washington Post, eMaryland
Market Place, Baltimore Times

Bids Received (date) August 18, 2008

DESCRIPTION OF ITEM(S):

(Be specific; include quantity, item name, model number, etc.)

Award Contract for Olde Towne Youth Center Project IFB no. 2009-003 to Warner Construction.

CONTRACTED/PURCHASE FROM:

Company Name: Warner Construction

Street Address: 50 Citizens Way, Suite 201

P. O. Box Number: _____

City/State/Zip: Frederick, MD 21701

CONTRACT/PURCHASE AMOUNT: \$3,156,130

Check One: In the Estimated Amount of X Not to Exceed _____

FUNDS TO BE EXPENDED FROM: Operating Budget _____ Capital Improvements Budget ✓

Funds will be allocated from Acct. No. 3349 – 594000 – 04-1 (\$1,793,481) and 06-1 (\$1,362,649) totaling \$3,156,130 for the Olde Towne Youth Center Project. An eight percent (8%) construction contingency, or \$233,788, is included in the budget.

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

VERIFICATION OF AVAILABILITY OF FUNDS Available _____ Not available _____

Finance Dept. Date

RESOLUTION NO. _____

RESOLUTION OF THE MAYOR AND CITY COUNCIL
AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT
FOR THE OLDE TOWNE YOUTH CENTER PROJECT

WHEREAS, an Invitation For Bid (IFB) for Construction Services for the Olde Towne Youth Center Project was duly advertised in the June 23, 2008 issue of the *Washington Post*, and bids were received on August 18, 2008 from ten companies; and

WHEREAS, the Mayor and Council rejected all bids and authorized the City Manager to negotiate a contract with the lowest responsive and responsible bidder; and

WHEREAS, the City Manager negotiated pricing and terms with Warner Construction Company and checked references according to the criteria the IFB; and

WHEREAS, the Mayor and Council have determined to award a contract for the work to the firm meeting City specifications:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Gaithersburg, that the City Manager be and she hereby is authorized to award a contract for Construction Services for the Olde Towne Youth Center Project with Warner Construction, Inc, 50 Citizens Way, Suite 201, Frederick, Maryland 21701, in the estimated amount of Two Million Nine Hundred Twenty-Two Thousand Three Hundred Forty-Two Dollars (\$2,922,342), with a Two Hundred Thirty-Three Thousand Seven Hundred Eighty-Eight Dollars (\$233,788) construction contingency, for a total amount of Three Million One Hundred Fifty-Six Thousand One Hundred Thirty Dollars (\$3,156,130); said funds to be expended from the Capital Improvements Budget.

ADOPTED by the Mayor and City Council this 6th day of October, 2008.

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 6th day of October, 2008.

Angel L. Jones, City Manager