

MAYOR & COUNCIL AGENDA COVER SHEET

MEETING DATE:
November 16, 2009

CALL TO PODIUM:
Peter Geiling

RESPONSIBLE STAFF:
Peter Geiling
James D. Arnoult

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 Enter into a Contract for Construction Services for the Gaithersburg Hillside Pavilion Project

SUPPORTING BACKGROUND:

Request: This is to request the Mayor and City Council authorize the City Manager to enter into a construction contract with Fort Myer, Corp. for the Gaithersburg Hillside Pavilion project. The work scope includes construction of ADA accessible parking, a new picnic pavilion, new fencing, a walkway, and new electrical connections.

Background: City staff hired Swanke Hayden O'Connell Architects to develop plans and specifications for the project in Spring 2008. The project was bid and bids were received in August 2008. The bids were much higher than the original budget estimate requiring staff to determine a more affordable approach to completing the work. City staff concluded some work could be completed in-house and the remaining work would be re-bid after sufficient funding was included in the budget. The project was re-bid on August 12, 2009. A mandatory pre-bid conference was held August 18, 2009. Five (5) perspective bidders were in attendance. The following bids were received on September 1, 2009:

Bidders	Bid Tabulation
Titan Industrial Services Inc.	\$145,000
Fort Myer, Corp..	\$148,115
Nastos	\$148,750
G – W Management Inc,	\$208,325
Highway & Safety Services	\$304,500

City staff reviewed the bids and found the lowest bidder to be non-responsive for excluding requested bid information. Staff reviewed the next lowest bid, contacted references, reviewed the Dun and Bradstreet report and found the Fort Myer, Corp. to be financially sound and capable of performing the work. Staff recommends award with a ten percent contingency or \$15,000, bringing the total requested funds to \$163,115 Staff thinks a ten percent contingency is adequate to address any unforeseen conditions.

Fiscal Impact: There are sufficient funds budgeted in the Capital Improvement 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: Peter Geiling Date of City Council Meeting: November 16, 2009

AUTHORIZING

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

RFP INFORMATION:

Advertisement Date August 12, 2009

Newspaper(s) Washington Post, eMaryland Market Place, Gaithersburg Gazette

Bids Received (date) September 1, 2009

DESCRIPTION OF ITEM(S):

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

Award a contract for construction services for the Gaithersburg Hillside Pavilion Project IFB # 2010-02.

CONTRACTED/PURCHASE FROM:

Company Name: Fort Myer Corporation

Street Address: 2237 33rd Street, NE

P. O. Box Number: _____

City/State/Zip: Washington, D.C. 20018-1594

CONTRACT/PURCHASE AMOUNT: \$148,118 plus a \$15,000 contingency

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

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

593000
Acct. No. 3343-591100, 83-2 (\$148,118 and \$15,000 contingency)

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

VERIFICATION OF AVAILABILITY OF FUNDS

Available ✓ (TS) Not available _____

[Signature] 11/16/09
Finance Dept. Date

RESOLUTION NO. _____

RESOLUTION OF THE MAYOR AND CITY COUNCIL
AUTHORIZING THE CITY MANAGER TO AWARD A CONTRACT
FOR THE GAITHERSBURG HILLSIDE PAVILION PROJECT

WHEREAS, an Invitation For Bid (IFB) for Construction Services for the Gaithersburg Hillside Pavilion project was duly advertised in the August 12, 2009 issue of the *Washington Post*, *eMaryland Marketplace*, and *Gaithersburg Gazette*, and bids were received on September 1, 2009 from five firms, and

WHEREAS, the bids were reviewed and references checked according to the criteria in the IFB, and

WHEREAS, Fort Myer Corporation, Inc. was the lowest responsive and responsible bidder, and

WHEREAS, the Mayor and Council have determined to award a contract for the work to the lowest responsive and responsible bidder meeting City specifications:

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of Gaithersburg, that the City Manager be and is hereby authorized to enter into a contract for Construction Services for the Gaithersburg Hillside Pavilion Project Fort Myer Corporation, 2237 33rd Street, NE, Washington, D.C. in the estimated amount of One Hundred Forty Eight Thousand One Hundred Eighteen Dollars (\$148,118), plus an additional Fifteen Thousand Dollars (\$15,000) contingency for unanticipated expenses; said funds to be expended from the Capital Improvements Budget.

ADOPTED by the Mayor and City Council this 16th day of November, 2009.

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 16th day of November, 2009.

Angel L. Jones, City Manager