

CITY OF MIDDLEBURG HEIGHTS, OHIO

Resolution No. 2021- **92**

Introduced By: Mayor Matthew Castelli, Mr. Bortolotto,
Mr. Ali, Mr. Sage, Mr. Meany, Mr. McGregor, Mr. Ference, Mr. Grech

**A RESOLUTION
AMENDING RESOLUTION NO. 2021-41 AND THE AGREEMENT WITH
THE ALBERT M. HIGLEY COMPANY TO PROVIDE CONSTRUCTION
MANAGER AT RISK SERVICES FOR THE MIDDLEBURG HEIGHTS
POLICE STATION PROJECT, ACCEPTING THE GUARANTEED MAXIMUM
PRICE, AND AUTHORIZING THE MAYOR TO ENTER INTO THE
AMENDED AGREEMENT**

WHEREAS, the City is in need of construction manager at risk services with regard to the design and construction of the Middleburg Heights Police Station Project, and

WHEREAS, pursuant to Resolution 2021-41, adopted May 25, 2021, the Mayor and Council determined The Albert M. Higley Company to have submitted the highest ranked proposal for said services, and thus authorized the Mayor to enter into a construction management agreement with The Albert M. Higley Company to provide the required services; and

WHEREAS, the City has now negotiated the Guaranteed Maximum Price, in accordance with the agreement, and it is necessary to amend such Agreement to set out the Guaranteed Maximum Price and accept same.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, STATE OF OHIO, AS FOLLOWS:

Section 1: This Council determines that the Middleburg Heights Police Station Project is a necessary and proper public improvement in that said Project will enhance the provision of health, welfare, and safety services within the City.

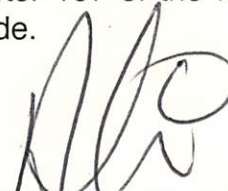
Section 2: By the adoption of Resolution No. 2021-41 on May 25, 2021, The Albert M. Higley Company was declared to be qualified and the best candidate to provide construction manager at risk services in connection with the Middleburg Heights Police Station Project, and the Mayor was authorized to enter into and negotiate an agreement for construction manager at risk services with The Albert M. Higley Company.

Section 3: The agreement was negotiated and executed between the parties, and it is now necessary to amend said agreement to set out and accept the Guaranteed Maximum Price of \$5,048,525.00 and the Mayor is authorized to execute said amended agreement.

Section 4: That there is hereby appropriated from the Capital Improvements Fund \$555,805 and the Finance Director is hereby authorized to advance the same amount from the General Fund to the Capital Improvements Fund to implement this Resolution.


Section 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Chapter 107 of the Middleburg Heights Code and Section 121.22 of the Ohio Revised Code.

Passed: 11-23-21



 President of Council

Presented to Mayor: 11-24-21



 Mayor

Attest: M Meala

 Clerk of Council

Approved On: 11-24-21

	Yea	Nay
Bortolotto	<u>absent</u>	_____
Ali	<u>X</u>	_____
Sage	<u>X</u>	_____
Meany	<u>X</u>	_____
McGregor	<u>X</u>	_____
Ference	<u>X</u>	_____
Grech	<u>X</u>	_____

CERTIFICATE
 I, Mary Ann Meala, Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Res. 2021-92 passed on the 23rd day of November 2021 by said Council.

Mary Ann Meala

 Clerk of Council

I, Mary Ann Meala Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Res. 2021-92 adopted by the Council of the City of Middleburg Hts., on 11/23/21 was posted for a period of fifteen days, beginning 11/24/21 and remained so posted for fifteen days at the two posting places as designated by Charter.

Mary Ann Meala

 Clerk