

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 14-60

INTRODUCED BY: Mayor Stefanik, Langshaw, Antoskiewicz,  
Nickell, Petrusky, Marnecheck, Muller, Kasaris

AN ORDINANCE APPROVING THE KRILL CO., INC.'S GMP PROPOSAL AND AUTHORIZING THE  
EXECUTION OF THE OWNER-DESIGN-BUILDER AGREEMENT,  
AND DECLARING AN EMERGENCY

WHEREAS: The City of North Royalton plans to renovate an existing building to create an administrative office building and surrounding park (the "Project"); and

WHEREAS: Consistent with Article I of the Charter of the City of North Royalton, Council has authorized use of the design-build project delivery method for the Project, following the statutory process set forth in Ohio law; and

WHEREAS: Pursuant to the statutory process required to procure a design-builder, Council appointed an Evaluation Committee and issued a Request for Qualifications; and

WHEREAS: The Evaluation Committee evaluated the responses received based upon criteria consistent with Ohio Administrative Code 153:1-6-02 and recommended to Council the most qualified design-build firms to provide the required services, pursuant to such firms' statements of qualifications; and

WHEREAS: Council designated these most qualified design-build firms and the city's Request for Proposals was issued to such firms; and

WHEREAS: The Evaluation Committee evaluated the proposals received and ranked the short-listed firms that submitted proposals to determine the best value, based upon criteria consistent with Ohio Administrative Code 153:1-6-02, and recommended to Council that The Krill Co., Inc.'s proposal be determined to be the best value; and

WHEREAS: Council determined that The Krill Co., Inc.'s proposal was the best value; and

WHEREAS: Council previously approved a design-build contract, prepared using the modified DBIA Document No. 520 form, with The Krill Co., Inc. to provide preliminary design-builder services, which covered the period of time between the best-value determination and the negotiation and approval of the guaranteed maximum price ("GMP"), for the remaining design services and construction of the Project; and

WHEREAS: The Krill Co., Inc. has now submitted its GMP Proposal for the Project with a contract sum of \$2,850,688.00; and

WHEREAS: After due deliberation, Council wishes to approve the GMP Proposal and to authorize the execution of the Owner-Design-Builder Agreement, prepared using the modified DBIA Document No. 530 form, for the Project, in the amount set forth in the GMP Proposal.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council approves The Krill Co., Inc.'s GMP Proposal for the Project.

Section 2. The city is hereby authorized to execute the Owner-Design-Builder Agreement for the Project, prepared using the modified DBIA Document No. 530, in the form attached hereto, with The Krill Co., Inc., in the total amount of \$2,850,688.00 which is the amount set forth in The Krill Co., Inc.'s GMP Proposal.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance 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 action were in meetings open to the public in compliance with all legal requirements.

Section 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to approve the GMP Proposal and execute the Owner-Design-Builder Agreement, prepared using the modified DBIA Document No. 530 form, so that the design-build work may commence as soon as possible.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz  
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik  
MAYOR

DATE PASSED: April 22, 2014

DATE APPROVED: April 23, 2014

ATTEST: /s/ Laura J. Haller  
DIRECTOR OF LEGISLATIVE SERVICES

First reading April 15, 2014  
Second reading suspended  
Third reading April 22, 2014  
Amended April 22, 2014

YEAS: Antoskiewicz, Nickell, Petrusky, Langshaw,  
Marnecheck, Muller, Kasaris

NAYS: none