

**RESOLUTION NO. 2019-38
INTRODUCED BY: ADMINISTRATION**

A RESOLUTION AUTHORIZING THE MAYOR TO AMEND THE CONSTRUCTION MANAGEMENT AGREEMENT WITH GREENSPACE CONSTRUCTION SERVICES TO PROVIDE CONSTRUCTION MANAGER AT RISK SERVICES IN CONNECTION WITH THE LYNDBURST FIRE STATION EXPANSION AND RENOVATION PROJECT BY ACCEPTING THE GUARANTEED MAXIMUM PRICE, AND DECLARING AN EMERGENCY

WHEREAS, the City is in need of construction manager at risk services with regard to the design and construction of the Lyndhurst Fire Station Expansion and Renovation Project; and

WHEREAS, pursuant to Resolution No. 2018-11, adopted February 19, 2018, the Mayor and Council determined Greenspace Construction Services to have submitted the highest ranked Proposal for said services, and thus authorized the Mayor to enter into a construction management agreement with Greenspace Construction services to provide the 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 LYNDBURST, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

SECTION 1. This Council determines that the Lyndhurst Fire Station Expansion and Renovation 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. 2018-11 on February 19, 2018, Greenspace Construction Services was declared to be qualified and the best candidate to provide construction manager at risk services in connection with the Lyndhurst Fire Station Expansion and Renovation Project, and the Mayor was authorized and directed to negotiate an agreement for construction manager at risk services with Greenspace Construction Services.

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 Four Million, Four Hundred Thirteen Thousand, Nine Hundred Seventh-Six and 29/100 Dollars (\$4,413,976.29), and the Mayor is authorized and directed to execute said amendment.

SECTION 4. The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of the City of Lyndhurst, Ohio for the reason that it is necessary to amend the aforesaid agreement, and to begin construction without delay, so as to complete the construction as soon as possible. Therefore this Resolution shall take effect immediately upon passage

by the affirmative vote of not less than five (5) members elected to Council and signature by the Mayor or otherwise at the earliest time allowed by law.

PASSED: May 6, 2019

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on May 16, 2019 and May 23, 2019 .

Clerk of Council

First Reading: May 6, 2019

Second Reading: Suspended

Third Reading: Suspended