

ORDINANCE NO. 2003-142

AUTHORIZING THE FINANCE DIRECTOR TO PAY DUGAN & MEYERS CONSTRUCTION CO., INC. \$155,638.00, PURSUANT TO THE GUARANTEED MAXIMUM PRICE CONTRACT, FOR ADDITIONAL CONSTRUCTION MANAGEMENT SERVICES NECESSARY FOR THE COMPLETION OF THE MASON MUNICIPAL BUILDING PROJECT.

WHEREAS, pursuant to Ordinance No. 2001-60, the City Manager entered into an agreement with Dugan & Meyers Construction Co., Inc. ("Dugan & Meyers"), under which Dugan & Meyers has provided professional construction management services necessary for the completion of the Mason Municipal Building project at a Guaranteed Maximum Price (GMP); and

WHEREAS, even after the various change orders and related additional construction management fees, the total cost of the Municipal Building Project is more than \$1.2 million below the Guaranteed Maximum Price (GMP);

WHEREAS, because changes were necessary to several prime construction contracts on the project to properly complete the project; and

WHEREAS, Dugan & Meyers is due an additional \$23,131.00, based on the payment formula within the contract, for extended construction management services necessary for the increase in project scope associated with the changes in the several prime construction contracts; and

WHEREAS, Dugan & Meyers is also due \$132,507.00, based on an incentive clause within the contract, under which it is to receive twenty-five percent (25%) of the unspent contingency monies, and under the same provision, the City of Mason shall retain seventy-five percent (75%) of the contingency monies, approximately \$397,521.00;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, Ohio, seven members elected thereto concurring:

Section 1. That the Finance Director is hereby authorized to pay Dugan & Meyers an additional \$155,638.00, from the Municipal Building Project Fund, pursuant to the City of Mason's construction management services contract with Dugan & Meyers, to manage the change orders on the Municipal Building project, and for Dugan & Meyers share of the remaining contingency monies referred to in the contract.

Section 2. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 24th day of November, 2003.

Attest:


Clerk of Council


Mayor

11/21/03

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