

RESOLUTION NO. 45-06
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Susan Lienesch ON THE 18th DAY OF September, 2006.

A RESOLUTION AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH DANIS BUILDING CONSTRUCTION CO. FOR CONSTRUCTION MANAGEMENT SERVICES

WHEREAS, this council has determined that the City is in need of a new public works facility in order to adequately serve the present and future needs of its citizens; and

WHEREAS, this council has determined that it is in the best interest of the City to seek out the most qualified contractor who can examine the needs of the City for a public works facility and to assist the personnel of the City in providing construction management services; and

WHEREAS, the personnel has conducted a request for proposal process which involved open and honest competition to protect the public and the bidders from any kind of favoritism or fraud in order to identify the most qualified contractor to provide construction management services for a public works facility for the City; and

WHEREAS, the City received six proposals to provide construction management services for a public works facility for the City; and

WHEREAS, a review of the proposals by City personnel led to the conclusion that Danis Building Construction Co. provided the best proposal for the City; and

WHEREAS, §3.01 of the Centerville Charter provides: "Except as restricted by this Charter, the Municipality shall have all powers possible for a municipality to have under the Constitution and laws of the State of Ohio, as fully and completely as though they were specifically enumerated in this Charter." and

WHEREAS, it has been judicially determined that the adoption of a request for proposal process for the construction of a municipal facility is an exercise of the power of local self-government and not an exercise of the police power so that a municipal bidding process may be adopted which supersedes state law all in accordance with the municipal powers granted to charter cities in §3, Article XVIII of the Constitution of the State of Ohio; and

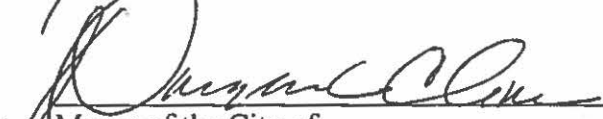
WHEREAS, this council, by this resolution, is hereby exercising its power of local self government to authorize and ratify the construction management process and contract for the construction of the public works facility

Post-it® Fax Note	7671	Date	1-23-08	# of pages	2
To	Scott Liberman	From	Julie		
Co./Dept.	Aff. Clk. Corwin	Co.	Centerville		
Phone #	223-1201	Phone #	428-4721		
Fax #	223-5100	Fax #	433-8221		

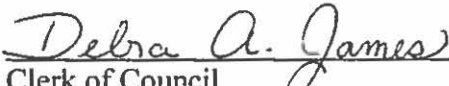
NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the City Manager is authorized and directed to enter into an agreement with Danis Building Construction Co. to provide construction management services for the construction of a public works facility to be paid as follows: \$77,096.00 for pre-construction services and \$275,000.00 for construction services.

PASSED THIS 18th day of September, 2006.

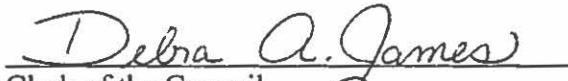

Deputy Mayor of the City of
Centerville, Ohio

ATTEST:


Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 45-06, passed by the Council of the City of Centerville, Ohio on the 18th day of September, 2006.


Clerk of the Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions
Department of Law
Scott A. Liberman
Municipal Attorney