



Legislation Details (With Text)

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File created: 11/20/2017 **In control:** FINANCE COMMITTEE
On agenda: 12/5/2017 **Final action:** 12/5/2017
Enactment date: 12/11/2017 **Enactment #:** RES-17-00954

Title: Authorizing the Mayor and City Clerk to Execute a contract with AVA Civic Enterprises, Inc. for Project Director Services for the construction phase of the Judge Doyle Project and as Sole Source to act as City Agent for the Development of Judge Doyle Project.

Sponsors: Michael E. Verveer, Paul R. Soglin

Indexes:

Code sections:

Attachments: 1. City - Judge Doyle Project Director Scope of Services - Phase III.pdf

| Date | Ver. | Action By | Action | Result |
|------------|------|---|--|--------|
| 12/5/2017 | 1 | COMMON COUNCIL | Adopt | Pass |
| 11/27/2017 | 1 | FINANCE COMMITTEE | RECOMMEND TO COUNCIL TO ADOPT - REPORT OF OFFICER | Pass |
| 11/21/2017 | 1 | COMMON COUNCIL | Refer | Pass |
| 11/20/2017 | 1 | Department of Planning and Community and Economic Development | Referred for Introduction | |

Fiscal Note

The proposed resolution authorizes execution of a contract with AVA Civic Enterprises, Inc. as the sole source for providing the scope of services attached as exhibit A and for any services rendered beyond the monetary authorization of the "Prior Contract" authorized by Council adopted RES-16-00713. The term of the proposed contract shall be until March 31, 2019, unless otherwise extended, and payment will not exceed \$75,000 without prior authorization. The 2017 and 2018 Adopted Capital Budgets include sufficient funding for the Judge Doyle project and the proposed contract amount.

Title

Authorizing the Mayor and City Clerk to Execute a contract with AVA Civic Enterprises, Inc. for Project Director Services for the construction phase of the Judge Doyle Project and as Sole Source to act as City Agent for the Development of Judge Doyle Project.

Body

WHEREAS, since 2011 George E. Austin has acted as the City's project director and staff team lead for the Judge Doyle Project through a series of contracts between the City and his company, AVA Civic Enterprises, Inc. ("AVA"); and

WHEREAS, on July 5, 2016, the Common Council adopted RES-16-00510 approving the City to enter into a development agreement with Beitler Real Estate Services (the "Development Agreement"); and

WHEREAS, in accordance with Section 5.1(a)(1) of the Development Agreement, George Austin was chosen to act as City Agent in the development of the Public Ramp, based on his experience both professionally and in the negotiation of the Development Agreement in accordance with MGO 4.26(4)(a)(7); and

WHEREAS, on September 20, 2016, the Common Council adopted RES-16-00713 authorizing the Mayor and City Clerk to execute a contract with AVA for services to lead the pre-construction phase of planning and implementation for the Judge Doyle Project as the sole source for providing the services with payment based on time and materials with expenditures not to exceed \$60,000 without prior authorization (the "Prior Contract"); and

WHEREAS, on September 5, 2017, the Common Council adopted RES- 17-00698 awarding Public Works Contract # 7952 Judge Doyle Garage for construction of the Public Ramp to J.P. Cullen & Sons, Inc., and

WHEREAS, pursuant to MGO 4.26(4)(a)(7), based on AVA's experience both professionally and in prior phases of the planning and implementation of the Judge Doyle Project including but not limited to the negotiation of the Development Agreement and leadership of the pre-construction phase, the City wishes to retain AVA for services to lead the construction phase of the Judge Doyle Project, under a sole source contract.

NOW, THEREFORE, BE IT RESOLVED, that Mayor and City Clerk are authorized to execute a contract or multiple contracts with AVA Civic Enterprises, Inc. for any services rendered beyond the monetary authorization in the Prior Contract, and for the scope of services attached as Exhibit A, as the sole source for providing those services, with payment based on time and materials with expenditures not to exceed \$75,000 without prior authorization (the "Contract").

BE IT FURTHER RESOLVED, that the term of the Contract shall be until March 31, 2019, unless otherwise extended, based on the anticipated schedule for construction of the Public Ramp.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are authorized to execute the Contract with AVA Civic Enterprises, Inc., in a form to be approved by the City Attorney.