

ORDINANCE NO.: 153-2024
INTRODUCED BY: Mayor Thomas

**AN ORDINANCE TO ESTABLISH A DESIGN-BUILD PROCESS FOR THE
CONSTRUCTION OF A PAVILION AT GREENWOOD FARM PARK AND
DECLARING AN EMERGENCY.**

WHEREAS, the City of Richmond Heights ("City") desires to have constructed a pre-manufactured pavilion on the Greenwood Farm Park property, located at 264 Richmond Road ("Project") and to engage a firm to provide design-build services in connection with the construction of the Project;

WHEREAS, this Council has determined that the design-build method of performing the Project is the most appropriate method to obtain the best quality, service, performance, efficiencies, and price for the Project;

WHEREAS, the commencement of such efforts necessitates the public solicitation of design-build firms to submit statements of qualifications and proposals for consideration by the Council for an award of a contract to provide the design-build services;

WHEREAS, this Council finds that the design-build process of public proposals set forth in this Ordinance is proper, pursuant to the City's home rule authority, and complies with the City Charter requirements that public improvements which exceed \$25,000 in cost shall be made to the lowest and best bidder after public advertising in a manner prescribed by the Council and that this Council shall not be required to accept any proposal;

WHEREAS, the Council determines that it is in the best interest of the City and prospective design-build firms to commence the process as set forth herein.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
RICHMOND HEIGHTS, STATE OF OHIO, THAT:**

Section 1. The City administration is hereby authorized to issue a "Request for Qualifications and Proposals" to design-build firms pursuant to public advertising once per week for two consecutive weeks in a newspaper of general circulation in Northeast Ohio and to employ a design-build proposal and qualification review process for the construction of a pre-manufactured pavilion on the Greenwood Farm Park property located at 264 Richmond Road ("Project") pursuant to the following process.

- A. The Mayor is authorized to request that design-build firms submit a single response to the Request for Qualifications and Proposals which contains both the design-build firm's statement of qualifications and its proposal. Upon receipt of such responses to the Request for Qualifications and Proposals, a determination will be made, based on objective standards, by a committee of City officials and staff that is selected by the Mayor as to which design-build firm is qualified and has submitted the best proposal for the City's purposes.


- B. Upon the foregoing committee's recommendation, the Mayor is authorized to negotiate a contract with a qualified design-build firm that submitted a proposal to perform the required services. Contract negotiations shall be directed towards ensuring that the design-build firm has an understanding of the essential requirements of the Project, that the design-build firm will make available the necessary personnel, equipment and facilities to perform the services within the required times and agree upon the fees to be paid to the design-build firm taking into account the estimated value, scope, complexity, and nature of the services.
- C. Upon the committee's recommendation and the negotiation of a contract with the recommended design-build firm, the Mayor shall make a recommendation to City Council for the award of the contract to the lowest and best proposal from the qualified design-build firms. The final determination of "lowest and best" is within the sole discretion of the Council and the Council may consider the proposals of any of the qualified design-build firms. The Council shall not be required to accept any proposal and may reject any and all proposals.

Section 2. 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, including Section 121.22 of the Ohio Revised Code.

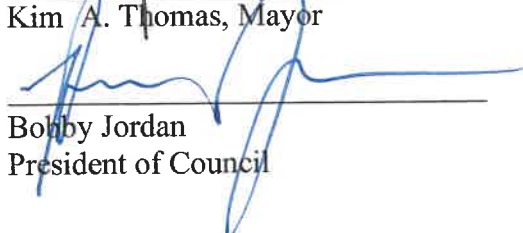
Section 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare of the City and the inhabitants and visitors thereof for the reason that this action is necessary to enable the City to construct a useful and safe pavilion at Greenwood Farm Park as early as possible and to use available time-limited grant funding from Cuyahoga County in a timely manner for this Project; and provided it receives approval of two-thirds of the members of Council, it shall be in full force and effect from and after its passage and approval by the Mayor or, otherwise, it shall take effect and be in force from and after the earliest period provided by law.

PASSED: November 19, 2024

APPROVED: November 19, 2024


Kim A. Thomas, Mayor

ATTEST: Tracey Blair
Tracey Blair
Clerk of Council


Bobby Jordan
President of Council