

# RECORD OF ORDINANCES

CITY OF UPPER ARLINGTON

STATE OF OHIO

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## ORDINANCE NO. 58-2023

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### TO AUTHORIZE THE CITY MANAGER TO ENTER INTO CONTRACT WITH MARKER CONSTRUCTION FOR THE RENOVATION OF THE SERVICE BUILDING AND TENNIS COMPLEX AT NORTHAM PARK

**WHEREAS,** in response to the 2018 Parks & Recreation Comprehensive Plan, related to Northam Park and the Tennis Complex, the Northam Park Vision Plan was created in 2020, followed by a Master Drainage Plan in 2021; and

**WHEREAS,** the first phase of improvements was constructed in 2022 with the installation of a new storm line and below grade stormwater detention, followed by a renovation of the West Athletic Fields in 2023; and

**WHEREAS,** the next phase of improvements will focus on the north end of the park, which includes a renovation of the service building, tennis complex, and adjacent park areas; and

**WHEREAS,** the scope of work included in the project was originally planned to be implemented over two phases, with the first phase being bid in August 2022, but at that time the first phase included the replacement of the service building and the renovation of three clay courts; and

**WHEREAS,** despite efforts to contain costs through refinements in the project scope, bids exceeded estimates by 17%, due to market conditions, and as a result, it was determined that the work should be postponed and revisited at a later date; and

**WHEREAS,** in 2023, staff continued to study the needs for improvements at Northam Park, working with design consultants OHM Advisors and recreation consultant Ballard King to determine the scope of improvements that could be accommodated within the approved budget; and

**WHEREAS,** the findings of these additional studies were presented to City Council and the Park and Recreation Advisory Board (PRAB) in May 2023, with additional public outreach conducted throughout the summer; and

**WHEREAS,** on October 27, 2023, the City received the following bids for renovations of the Northam Park Service Building and Tennis Complex; and

| Vendor             | Base Bid    | Alt. 1<br>9 <sup>th</sup> Clay<br>Tennis<br>Court | Alt. 2<br>Tennis<br>Shade<br>Structure | Alt. 3<br>Pickleball<br>Courts | Alt. 4<br>Shade<br>Structure | Alt. 5<br>Shade<br>Structure | Total       |
|--------------------|-------------|---|--|--------------------------------|------------------------------|------------------------------|-------------|
| Marker             | \$2,461,917 | \$73,571  | \$30,211                               | \$255,823                      | \$74,480                     | \$70,526                     | \$2,966,528 |
| 2K General         | \$2,467,000 | \$73,000  | \$24,500                               | \$268,000                      | \$100,000                    | \$100,000                    | \$3,032,500 |
| Ferguson           | \$2,504,467 | \$363,022   | \$32,206                               | \$259,249                      | \$62,497                     | \$71,902                     | \$3,293,343 |
| Miles<br>McClellan | \$2,889,735 | \$61,643  | \$35,788                               | \$227,773                      | \$80,115                     | \$80,115                     | \$3,375,169 |
| Elford             | \$3,016,358 | \$80,000  | \$33,000                               | \$233,000                      | \$86,000                     | \$86,000                     | \$3,536,358 |
| Setterlin          | \$2,995,969 | \$95,227  | \$34,383                               | \$265,590                      | \$79,300                     | \$79,300                     | \$3,579,769 |

**WHEREAS,** Marker Construction’s bid was reviewed by City staff and OHM Advisors, and has been determined to be responsive for an amount of \$2,966,528, with a 10% contingency of \$296,653; and

**WHEREAS,** staff recommends accepting bid alternates one through five and requests approval for underground irrigation at the clay tennis courts, requiring authorization for an additional \$517,262 above the project bid, but within the project budget, as underground irrigation was not included in the bid process; and

**WHEREAS,** the underground irrigation would improve playing conditions, reduce downtime due to watering, and reduce staffing needs at the Tennis Complex.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Upper Arlington, Ohio:

**SECTION 1.** The City Manager is hereby authorized to enter into contract with Marker Construction for the renovation of the Service Building and Tennis Complex at Northam Park, for an amount not to exceed \$3,780,443, which includes accepting the base bid with a 10 percent contingency, bid alternates one through five, and addition of a subgrade irrigation system.

**SECTION 2.** The provisions in Chapter 138 – Procurement Code of the Code of Ordinances of the City of Upper Arlington are hereby waived for the subgrade irrigation portion of the project.

**SECTION 3.** The City Manager, Finance Director, and the City Attorney are hereby authorized to take all actions, including the execution of all documents or amendments necessary to enter into, implement, and administer the agreement, that are not substantially inconsistent with this ordinance.

**SECTION 4.**

This ordinance shall take effect immediately upon passage.