

Introduced by: Councilmember Schultz

First Reading: March 4, 2013

Second Reading: March 11, 2013

**CITY OF TAKOMA PARK, MARYLAND**

**ORDINANCE NO. 2013-8**

**AWARDING A CONTRACT FOR COMPLETION OF THE INSTALLATION OF A CHILLER AND TWO AIR HANDLING UNITS IN THE COMMUNITY CENTER**

WHEREAS, Ordinance 2012-4 was passed on January 23, 2012, and a contract was awarded to Horizon Mechanical for the installation of a new chiller and replacement of two air handling units on February 23, 2012; and

WHEREAS, On August 1, 2012, the City notified Horizon Mechanical that they were in default of the contract because they did not meet the June 30, 2012 deadline for project completion and provided until August 10, 2012 to complete all remaining work; and

WHEREAS, Horizon Mechanical attempted to complete additional installation and the City scheduled two commissioning meetings to assess whether the equipment would operate as designed, but the equipment did not pass either commissioning; and

WHEREAS, CTA Engineering, the design engineers for the project, recommended the City bring in American Mechanical Services to assess the installation and determine what other work was required in order for the equipment to function as designed; and

WHEREAS, American Mechanical Services was the second lowest bidder on the original request for proposals with a complete project bid of \$229,306; and

WHEREAS, the City Attorney has confirmed that City procurement regulations will allow for the award of a contract to the second lowest bidder in this situation due to the contract default of the lowest bidder; and

WHEREAS, American Mechanical Services has provided a proposal for \$27,370 to complete the installation and commissioning of the chiller and two air handling units, per the design specifications.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT:

Section 1. The City Manager is authorized to enter into a contract in the amount of \$27,370 with American Mechanical Services for the completion of the installation of a chiller and two air handling units in the community center.

Section 2. This Ordinance shall become effective upon adoption.

Adopted this 11th day of March, 2013 by roll-call vote as follows:

AYE: Williams, Grimes, Male, Schultz, Seamens, Smith

NAY: None

ABSTAIN: None

ABSENT: Daniels-Cohen