



CITY OF ALLENTOWN

No. 84

RESOLUTION

R - 2023

Introduced by the Administration on May 3, 2023

Authorization for Contract price increase of 10% or more for an existing Contract over \$40,000.00, that was previously Bid and Awarded under City Policies, with A B E Doors & Windows, Inc. in the amount of \$18,878.00, due to an unforeseen accident where one of our vehicles ran into a door at Hibernia Fire Station, therefore, this will be paid for by Risk. This was previously bid for time and materials contract for on-call, on-site Overhead Door replacement, repair, inspection and maintenance, at various City owned and/or operated facilities. The resulting agreement shall include all labor, equipment, licensing, materials, tools, travel and all other items necessary to complete orders on an "as needed" basis. Services will include but not limited to emergency repairs, preventative maintenance, general repairs, and repairs to springs and tracks, as well as door replacements when necessary.

Resolved by the Council of the City of Allentown, That

WHEREAS, Article 130.16 of the City's Administrative Code (recodified as §5-21) requires City Council approval by Resolution for the award of contracts or engagement of professional services.

WHEREAS, it is the desire of the City of Allentown to increase the contractual sum of the previously awarded agreement with the following named contractor/consultant, for the use and purpose indicated in supporting the Recommendation of Award or Contract dated September 29, 2022:

1. Name of Contractor/Consultant: A B E Doors & Windows, Inc.
2. Project or Contract Reference: C47-000020 - Overhead Door Repair and Maintenance
3. Description of Service(s) to be provided: seeks to hire a contractor to establish a time and materials contract for on-call, on-site Overhead Door replacement, repair, inspection and maintenance, at various City owned and/or operated facilities. The resulting agreement shall include all labor, equipment, licensing, materials, tools, travel and all other items necessary to complete orders on an "as needed" basis. Services will include but not limited to emergency repairs, preventative maintenance, general repairs, and repairs to springs and tracks, as well as door replacements when necessary.

NOW, THEREFORE, BE IT RESOLVED, on this the 3rd day of May, 2023, that the Council of the City of Allentown, hereby authorizes the Mayor and/or such other City officials as deemed appropriate by the City Solicitor, to sign and execute a Contract or Amendment and such other agreements and documents as are deemed by the City Solicitor to be necessary and/or related thereto, with the above named contractor/consultant, for the project identified.

SUBJECT: Request for Approval by City Council of Contract Price Increase Pursuant to City Ordinance, Article 130.16

Project or Contract Reference: C47-000020 - Overhead Door Repair and Maintenance

TO: City Council, City Clerk, and Council Solicitor

FROM: Mark Shahda, Department Head

DATE: April 18, 2023

Pursuant to City Ordinances, Article 130.16, this Recommendation of Award is before City Council for its approval of the contract consideration increase.

- This recommendation is for a contract consideration increase of 10% or more for an existing contractual sum. Said contract was previously bid and awarded under city policies.
- The contract appropriation or price increase is included in this year's budget.
- List the name and address of the recommended Contractor/Vendor, include the following:

| | |
|---------------------|---------------------|
| Contract Sum: | \$ 85,000.00 |
| Requested Increase: | <u>\$ 18,878.00</u> |
| New Contract | \$ 103,878.00 |

Funding Source: 081-02-8001-0001-81

- Description of project or scope of services to be provided and why is an increase needed:

On September 29, 2022, both parties mutually agreed and entered into an agreement that the contractor will provide a time and materials contract for on-call, on-site Overhead Door replacement, repair, inspection, and maintenance, at various City owned and/or operated facilities. The resulting agreement shall include all labor, equipment, licensing, materials, tools, travel, and all other items necessary to complete orders on an "as needed" basis. Services will include but not limited to emergency repairs, preventative maintenance, general repairs, and repairs to springs and tracks, as well as door replacements when necessary. At this time, the department is requesting an increase in the amount of \$18,878.00 for A B E Doors and Windows, Inc due to an unforeseen accident where one of our vehicles ran into a door at Hibernia Fire Station, therefore, this will be paid for by Risk.

- List the current Contract Term and if an increase is needed:

The Contract term shall commence upon full execution and cease within one (1) year from execution.

- List any renewal term options and duration of each renewal, if any:

Upon written notification, this contract can be extended for up to an additional three (3) one (1) year terms beyond the contract expiration period as negotiated and agreed upon, each year, between the City and the Contractor.

- Maximum dollar value of all renewals provided for beyond the original term as if all renewals were exercised:

The BID does have a price escalation clause, which states that if requested in writing ninety (90) days prior to the end of the first contract term, or any subsequent renewal terms, the City may consider pricing increases, if the following conditions exist:

1. There is a verifiable price increase to the Contractor;
2. The Contractor submits, in writing, notification of the price increase;
3. The price increase shall be comparable to documented manufacturers' or distributors prices' price changes or industry related indices;
4. Price increases due to seasonal and/or unforeseen market conditions; and
5. The Contractor shall submit the above information to the Purchasing Department no less than ninety (90) days prior to the effective date of the requested price increase.

A vote of final approval is requested of the members of Council and by passing the accompanying resolution, this Contract will be deemed approved

By: Mark Shahda, Department Head

Copies To: Mayor
Director of Finance
Purchasing
Controller

Attachment: proposed resolution