

## **RESOLUTION NUMBER 09-11**

### **RESOLUTION OF THE COMMON COUNCIL OF THE CITY OF WESTFIELD, INDIANA, AUTHORIZING AND APPROVING THE USE OF DESIGN-BUILD CONTRACTING METHOD FOR A PUBLIC PROJECT**

**WHEREAS**, the design, construction, equipping and maintenance of fire stations within and serving the City of Westfield, Indiana (the “City”) are a public benefit to the health and safety of the citizens of the City; and

**WHEREAS**, the Common Council of the City (the “Common Council”) desires to efficiently design and construct a fire station to be known as Fire Station No. 83 (the “Fire Station Project”) pursuant to Indiana Code 5-30; and

**WHEREAS**, Indiana Code 5-30-2-2 provides that the Common Council authorize and approve the use of the design-build contracting method for the Fire Station Project and identify the members of the technical review committee appointed by the Westfield Fire Department under Indiana Code 5-30-4-1 (the “Technical Review Committee”), which shall be responsible for qualifying potential design-builders and rating and scoring qualitative proposals for the Fire Station Project as provided under Indiana Code 5-30 and whose meetings shall be open to the public and subject to Indiana Code 5-14-1.5; and

**WHEREAS**, pursuant to Indiana Code 5-30-4-1, the Technical Review Committee shall consist of Todd Burtron, Fire Chief of the City; Jim Peyton, a licensed contractor; and Neil VanTrees, a licensed professional engineer. Members of the Technical Review Committee shall not submit proposals for or furnish design services or construction services under the design-build contract authorized by this Resolution and may not accept or subcontract for professional services or construction services under the design-build contract authorize by this Resolution; and

**WHEREAS**, upon the adoption of this Resolution, it is the intent of the Common Council to (i) authorize and approve the use of the design-build contracting method for the design and construction of the Fire Station Project, and (ii) identify the members of the Technical Review Committee appointed by the Westfield Fire Department; and

**WHEREAS**, after being fully advised in the matter,

**NOW, THEREFORE, BE IT RESOLVED BY THE COMMON COUNCIL OF CITY OF WESTFIELD, AS FOLLOWS:**

**SECTION I.** The Common Council hereby finds that the design and construction of the Fire Station will be of public utility and benefit to the citizens of the City and hereby approves, authorizes and confirms the use of the design-build contracting method for the design and construction of the Fire Station Project pursuant to Indiana Code 5-30.

**SECTION II.** The Common Council hereby finds that the Technical Review Committee has been established and that Todd Burton, Fire Chief of the City; Jim Peyton, a licensed contractor; and Neil VanTrees, a licensed professional engineer, have been appointed as members of the Technical Review Committee by the City acting by and through the Westfield Fire Department.

**SECTION III.** The Common Council hereby authorizes the Technical Review Committee to cause to be developed the design-build criteria for the Fire Station Project, solicit a request for proposals for the Fire Station Project, qualify potential design-builders, award the design-build contract for the Fire Station Project, and take all necessary actions pursuant to and authorized by Indiana Code 5-30 and this Resolution.

**SECTION IV.** The Common Council further authorizes the Mayor of the City to replace or appoint additional voting or non-voting members to the Technical Review Committee.

**SECTION V.** This Resolution shall be in full force and effect immediately upon its adoption.

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ADOPTED AND PASSED THIS \_\_\_ DAY OF SEPTEMBER, 2009, BY THE  
WESTFIELD COMMON COUNCIL, HAMILTON COUNTY, INDIANA.

**WESTFIELD COMMON COUNCIL**  
**Hamilton County, Indiana**

**WESTFIELD COMMON COUNCIL**

**Voting For**

**Voting Against**

**Abstain**

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John Dippel

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John Dippel

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John Dippel

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Steve Hoover

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Steve Hoover

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Bob Horkay

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Ken Kingshill

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Bob Smith

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Thomas Smith

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Rob Stokes

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Rob Stokes

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Rob Stokes

ATTEST:

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Clerk-Treasurer, Cindy Gossard

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317-238-6261

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I hereby certify that RESOLUTION 09-11 was delivered to the Mayor of Westfield

on the \_\_\_\_\_ day of \_\_\_\_\_, 2009, at \_\_\_\_\_ m.

\_\_\_\_\_  
Cindy Gossard, Clerk-Treasurer

I hereby APPROVE RESOLUTION 09-11

this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
J. Andrew Cook, Mayor

I hereby VETO RESOLUTION 09-11

this \_\_\_\_\_ day of \_\_\_\_\_, 2009.

\_\_\_\_\_  
J. Andrew Cook, Mayor

ATTEST:

\_\_\_\_\_  
Cindy Gossard, Clerk Treasurer