

**AN ORDINANCE TO AUTHORIZE AND APPROVE A ONE-YEAR  
EXTENSION OF CONTRACT 21007WDPS BETWEEN THE CITY OF  
WILMINGTON AND MERIT CONSTRUCTION ENGINEERS, INC. FOR  
BUILDING, RACEWAY AND FACILITIES MANAGEMENT**

**#0025**

**Sponsor:**

**Council  
Member  
Oliver**

**WHEREAS**, pursuant to Section 2-308 and Section 8-200 of the City Charter, the City of Wilmington is authorized to enter into contracts for the supply of personal property or the rendering of services for a period of more than one year if approved by City Council by ordinance; and

**WHEREAS**, the City publicly advertised a request for proposals for Contract 21007WDPS “Building, Raceway & Facilities Management” (the “Contract”), and subsequently awarded the Contract, a copy of which is available for review in the Department of Finance, Procurement Division, to Merit Construction Engineers, Inc., the highest ranked proposal; and

**WHEREAS**, the primary purpose of the Contract is to provide professional building, raceway and facilities management services for various City sites; and

**WHEREAS**, the term of the Contract is for the period from July 1, 2020 through June 30, 2021, at an estimated price of One Million, Eight-Five Thousand Dollars (\$1,085,000.00); and

**WHEREAS**, the City would like to enter into an amendment to the Contract to provide for a one-year extension of the Contract on the same terms and conditions (the “Amendment”), a copy of which, in substantial form, is attached hereto and incorporated by reference herein as Exhibit “A”; and

**WHEREAS**, it is the recommendation of the Department of Public Works that Council authorize the City to extend the Contract for one (1) additional year.

**NOW, THEREFORE, THE COUNCIL OF THE CITY OF WILMINGTON  
HEREBY ORDAINS:**

**SECTION 1.** The Amendment to Contract 21007WDPS “Building, Raceway & Facilities Management” between the City of Wilmington and Merit Construction Engineers, Inc., a copy of which Amendment, in substantial form, is attached hereto as Exhibit “A”, at an estimated price of One Million, Eight-Five Thousand Dollars (\$1,085,000.00), is hereby approved, and the Mayor, or his designee, is hereby authorized to execute as many copies of the Amendment, as well as to take all additional undertakings related thereto, as may be necessary.

**SECTION 2.** This Ordinance shall become effective upon its passage by City Council and approval by the Mayor.

First Reading..... February 18, 2021  
Second Reading..... February 18, 2021  
Third Reading.....

Passed by City Council,

\_\_\_\_\_  
President of City Council

ATTEST: \_\_\_\_\_  
City Clerk

Approved this \_\_\_\_ day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Mayor

**SYNOPSIS:** This Ordinance authorizes the City to extend Contract 21007WDPS “Building, Raceway & Facilities Management” between the City of Wilmington and Merit Construction Engineers, Inc. for one (1) year.

**FISCAL IMPACT STATEMENT:** The fiscal impact of this Ordinance is a one-year contract extension at an estimated price of One Million, Eight-Five Thousand Dollars (\$1,085,000.00).

W0113321

# **EXHIBIT A**

**AMENDMENT NO. 1 TO CONTRACT 21007WDPS  
(BUILDING, RACEWAY & FACILITIES MANAGEMENT)  
BETWEEN THE CITY OF WILMINGTON AND MERIT CONSTRUCTION ENGINEERS, INC.**

This amendment (this "Amendment") is entered into this \_\_\_\_ day of \_\_\_\_\_ 2021 by and between the City of Wilmington, a municipal corporation of the State of Delaware (the "City"), and Merit Construction Engineers, Inc. (the "Contractor").

WHEREAS, the City and the Contractor wish to amend Contract 21007WDPS (Building, Raceway & Facilities Management) (the "Contract") between the parties dated June 22, 2020 to extend the expiration date of the Contract for one (1) year to allow the Contractor to continue to provide professional building, raceway and facilities management services to the City in accordance with the terms of this Amendment and the Contract.

NOW, THEREFORE, WITNESSETH the City and the Contractor hereby agree as follows:

1. The Contractor shall continue to provide the services specified in the Contract to the City in accordance with all of the Contract's terms, conditions, and specifications through the term of this Amendment.
2. The term of this Amendment shall be from July 1, 2021 through June 30, 2022.
3. It is understood and agreed that the Contractor will not charge the City any price increase with respect to the services provided to the City pursuant to this Amendment.
4. The total amount paid by the City to the Contractor pursuant to this Amendment shall not exceed One Million, Eighty-Five Thousand Dollars (\$1,085,000.00).
5. All other terms and conditions of the Contract shall remain in full force and effect.

IN WITNESS WHEREOF, the parties, through their duly authorized representatives, have executed this Amendment to the Contract on the date first written above.

THE CITY OF WILMINGTON

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
By:  
Title:

MERIT CONSTRUCTION ENGINEERS, INC.

WITNESS: \_\_\_\_\_

\_\_\_\_\_  
By:  
Title: