

RESOLUTION NO. 2025-26

A RESOLUTION AUTHORIZING THE EXECUTIVE DIRECTOR OR HER DESIGNEE TO ENTER INTO AN GUARANTEED MAXIMUM PRICE (GMP) WITH THE WHITING-TURNER CONTRACTING COMPANY FOR CONSTRUCTION MANAGER SERVICES RELATIVE TO THE BLACK RIVER LANDING AMPHITHEATER AND FESTIVAL VENUE PROJECT.

WHEREAS, the Lorain Port Authority advertised for construction manager at risk (CMR) services for preconstruction and construction phased services for the completion of the Black River Landing Amphitheater and Festival Venue Project; and

WHEREAS, the Lorain Port Authority entered into a contract with The Whiting-Turner Contracting Company for CMR services through completion of this project; and

WHEREAS, the extent of the CMR services are outlined in contract documents AIA Document A133-2009, AIA Document A201-2007 and exhibits which dictates all fees and expenses; and

WHEREAS, the CMR services began with preconstruction work and additional phases of work for construction will be determined and executed based upon budget; and

WHEREAS, due to the delay of the project and the need for additional preconstruction staffing and the development of a new GMP, the Lorain Port entered into an agreement with Whiting-Turner Contracting Company in April of 2025 for this work to be complete; and

WHEREAS, the GMP has been developed and the Lorain Port needs to accept this GMP to move forward with the construction of the amphitheater to commence the fall of 2025.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the Lorain Port Authority:

SECTION I. The Executive Director or his designee is hereby authorized and directed to enter into a GMP with The Whiting-Turner Contracting Company for construction management services in the amount of \$6,873,036.

SECTION II. It is found and determined that all formal proceedings and actions of this Board concerning and relating to the passage of this resolution were adopted in an open meeting of this Board, and that all deliberations of this Board and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal Requirements, including Section 121.22, of the Ohio Revised Code.

Ayes: 8 **Nays:** 0 **Abstain:** 0 **Adopted:** 8/5/2025

BM

Brad Mullins [Aug 7, 2025 11:01:22 EDT]

Brad Mullins, Chairman

Tiffany McClelland

Tiffany McClelland, Executive Director