

Staff Report

Subject: 25-ITB-077 Baker Park Construction Contract with C. Merrill including Liquidated Damages Provision

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Department: Parks and Landscaping, Project Management, Procurement

Meeting Date: February 18, 2025

Item Description: Consideration for approval of the construction contract for Baker Park (Invitation for Bid #25-ITB-077) between the Effingham County Board of Commissioners and C. Merrill Construction with a clarified liquidated damages provision.

Summary Recommendation: Staff recommends approval of the contract with C. Merrill Construction for the Baker Park project, including the liquidated damages provision.

Executive Summary/Background:

The 25-ITB-077 Baker Park Construction bid award and contract was previously approved by the Effingham County Board of Commissioners on January 21st, 2025.

A liquidated damages provision has been formally included in the contract, specifying that the contractor, C. Merrill Construction, will be required to pay \$250 per day for each day beyond the agreed-upon contract completion date if delays occur. In the previous contract version, this amount was listed as "To Be Determined" and was not explicitly stated. At the contractor's request, the provision was clarified and finalized. Following a thorough review by the County Manager, County Attorney, and Project Manager, the liquidated damages amount was set at \$250 per day, which is considered appropriate for a small park construction project.

Alternatives for Commission to Consider

1. Approve the contract for 25-ITB-077 with C. Merrill Construction with the Liquidated Damages provision.
2. Do not approve the contract and provide staff with direction.

Recommended Alternative: 1

Other Alternatives: 2

Department Review: County Manager, Project Management, County Engineer, Procurement

Funding Source: 2025 FY Budget

Attachments: Revised Contract 25-ITB-077