

City of Willoughby Hills

ORDINANCE NO. 2020-24

AN ORDINANCE TO ACCEPT THE PROPOSAL PROVIDED BY RICHARD L. BOWEN & ASSOCIATES INC. FOR THE ENGINEERING FEES FOR THE 2020 ROCKEFELLER ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, the project consists of resurfacing Rockefeller Road between Chardon Road and the southern City/County border for a total length of approximately 0.95 miles; and

WHEREAS, this project has an estimated construction cost of approximately \$378,700 and is being funded in part by a grant and loan from the Ohio Public Works Commission (EXHIBIT 2); and

WHEREAS, the scope of services to be provided by Richard L. Bowen + Associates, Inc., include: (1) serve as the authorized representative of the City and supervise the execution of the project work, including resident coordination and meetings as needed; (2) Design and Document Preparation: plans, specifications, cost estimate, and bid documents as needed; (3) Bidding Assistance: respond to bidder questions, tabulate and evaluate bids, assess contractor’s ability, and make recommendation for award; (4) Construction Administration: respond to contract questions, review contractor submittals, perform site visits, review change orders, review contractor payments, perform punch list and project-close-out; and

WHEREAS, based on Section 2.2 and 2.3 of the “*Agreement between City of Willoughby Hills, Ohio & Richard L. Bowen + Associates Inc. for City Engineering Services*”, the Base Professional Services fee is estimated to be:

1.	Professional Services Fee, including an estimated \$100.00 for reimbursable expenses invoiced at 1.1 times direct cost, is based on an estimated construction cost of \$378,000.00	\$ 32,092.50
A.	75% to be invoiced at completion of plans	\$ 24,676.88
B.	Remaining 25% payable in pro rata monthly payments	\$8,225.62
Total Base Fee		\$ 32,902.50

Please note, the actual Professional Services Fee will be based on the actual cost of construction, therefore will not be determined until construction is complete and the cost is known.

WHEREAS, an email dated April 15, 2020 (EXHIBIT 3), was received from the City Engineer to advise the City that funding through the Ohio Public Works Commission (OPWC) Round 34 State Capital Improvement Fund (SCIF) has been postponed due to uncertainty with the capital bill in the State legislature as a result of COVID-19. The funding agreement, therefore, will not be issued by July 1, 2020, as previously planned.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

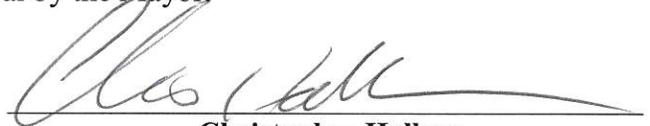
SECTION 1. The Mayor is hereby authorized and directed to accept the proposal, dated March 17, 2020 as submitted by Richard L. Bowen + Associates Inc., consisting of two (2) pages, attached hereto as the “EXHIBIT 1”, providing engineering services specifically for 2020 Rockefeller Road Resurfacing Project at a projected cost of \$32,902.50.

SECTION 2. The Finance Director is hereby authorized to provide a City-issued purchase order for said authorized expenditure in accordance with the terms and conditions contained in the two-page proposal, dated March 17, 2020, submitted by Richard L. Bowen + Associates Inc., attached hereto as the “Exhibit 1”. This purchase order, however, is contingent upon funding confirmation. As noted above, funding from OPWC may be withheld due to COVID-19 and the City, therefore, would not proceed with engineering for the Rockefeller Road resurfacing project that is reliant on the OPWC Round 34 State Capital Improvement Fund allocations.

SECTION 3. The actions of this Council concerning and relating to the passage of legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 4. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the municipality and further reason being that the City requires the professional services to immediately proceed with engineering services for the 2020 Rockefeller Road Resurfacing Project critical to maintain the integrity of the roadway; wherefore this Ordinance shall be in full force and take effect from and after its adoption and approval by the Mayor.

PASSED: May 28, 2020

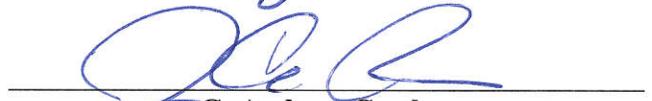


Christopher Hallum
President of Council

Submitted to the Mayor for his approval
on this 29th day of May, 2020

Approved by the Mayor

May 29, 2020



G. Andrew Gardner
Mayor

ATTEST:

James E. Monaco

Clerk of Council