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ORDINANCE NO. 2020-38

AN ORDINANCE AUTHORIZING THE EXPENDITURE OF ENGINEERING FEES ASSOCIATED WITH THE CORPORATE 90 FORCE MAIN REPLACEMENT PROJECT IN THE CITY OF WILLOUGHBY HILLS AND DECLARING AN EMERGENCY.

WHEREAS, following a sewer incident which caused a one-day closure of the Cleveland Clinic Willoughby Hills Family Health Center on May 11, 2020, it was determined that a Corporate 90 force main replacement is necessary; and

WHEREAS, the project consists of installing approximately 4,110 linear feet of new 3-inch sanitary force main along SOM Center Road from the Cleveland Clinic Foundation Willoughby Hills Family Health Center, 2550 SOM Center Road to Chardon Road. Directional boring will be utilized to install the force main which reduces site disturbance and allows the existing force main, which is in poor condition, to be abandoned. Additionally, the three existing cleanout manholes will be replaced and three additional cleanout manholes will be added to provide additional access for future maintenance; and

WHEREAS, Richard L. Bowen & Associates, Inc. has provided a proposal for professional services for the Corporate 90 Force Main Replacement Project dated June 17, 2020, consisting of four (4) pages and hereby provided as **EXHIBIT A**; and

WHEREAS, the scope of the project as identified by Richard L. Bowen & Associates, Inc. on their June 17, 2020 proposal include: 1) To 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 to include 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, and 4) Construction administration: respond to contractor questions, review contractor submittals, perform site visits, review change orders, review contractor payments, perform punch list and project close-out.

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 <u>\$100.00</u> for reimbursable expenses invoiced at 1.1 times direct cost, is based on an estimated construction cost of \$298,820.		\$26,912.00
	A.	75% to be invoiced at completion of plans	\$ 20,184.00
	B.	Remaining 25% payable in pro rata monthly payments	\$ 6,728.00
Total Base Fee			\$ 26,912.00
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.			

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

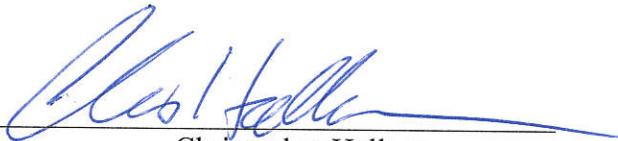
SECTION 1. The Mayor is hereby authorized and directed to accept the proposal, dated June 17, 2020, as submitted by Richard L. Bowen & Associates, Inc., consisting of four (4) pages, attached hereto as “Exhibit A”, providing services specifically for the Corporate 90 Force Main Replacement Project at a projected cost of \$26,912.00

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 four-page proposal, dated June 17, 2020, submitted by Richard L. Bowen & Associates, Inc., attached hereto as “Exhibit A.”

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 that the City requires the professional services to immediately proceed with the Corporate 90 Force Main Replacement Project critical to maintain the sewer infrastructure; wherefore this Ordinance shall be in full force and take effect from and after its adoption and approval by the Mayor.

PASSED: June 25, 2020



Christopher Hallum

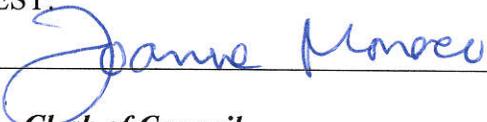
President of Council

Submitted to the Mayor for his approval
on this 25th day of June, 2020

Approved by the Mayor

June 25, 2020

ATTEST:



Clerk of Council



G. Andrew Gardner
Mayor