

# City of Willoughby Hills

## ORDINANCE NO. 2019-26

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### **AN ORDINANCE AUTHORIZING THE EXPENDITURE OF ENGINEERING FEES ASSOCIATED WITH THE 2019 STREET REHABILITATION PROGRAM SPECIFICALLY FOR TRAILARD DRIVE, MAYFRIARS DRIVE AND GLENGATE ROAD AND DECLARING AN EMERGENCY.**

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**WHEREAS**, 2019 Street Rehabilitation Program consists of resurfacing all of Trailard Drive, Mayfriars Drive, and Glengate Road for a total length of approximately 1.0 lineal miles of roadway at an estimated construction cost of \$465,157, detailed in the Opinion of Probable Cost, consisting of one page and attached hereto as part of the “Exhibit A”; and

**WHEREAS**, the street selections are based on the 2017 Street Ratings Report and attached Mayor’s Memo dated November 13, 2017; and

**WHEREAS**, the scope of services for the abovementioned project are as follows: (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 contractor 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 <u>\$100.00</u> for reimbursable expenses invoiced at 1.1 times direct cost, is based on an estimated construction cost of \$465,157.00 | \$39,386.78         |
|  | A. 75% to be invoiced at completion of plans  | \$ 29,540.09        |
|  | B. Remaining 25% payable in pro rata monthly payments   | \$9,846.69          |
| <b>Total Base Fee</b>  |   | <b>\$ 39,386.78</b> |
| 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 March 29, 2019, as submitted by Richard L. Bowen + Associates Inc., consisting of three (3) pages, attached hereto as the “Exhibit A”, providing services specifically for the 2019 Street Rehabilitation Program at a projected cost of \$39,386.78.

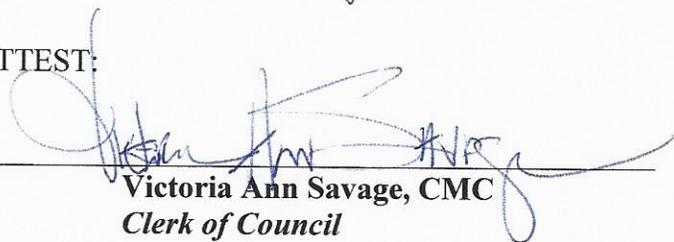
**SECTION 2.** The Finance Director is hereby authorized to provide a city-issued purchase order for said authorized expenditure in accordance with the terms and conditions contained in the three-page proposal, dated March 29, 2019, submitted by Richard L. Bowen + Associates Inc., attached hereto as the “Exhibit A”.

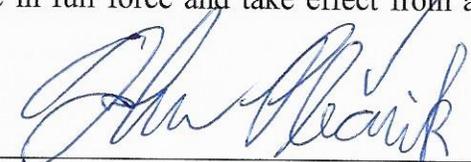
**SECTION 3.** The actions of this Council concerning and relating to the passage of legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements 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 being that the City requires the professional services to immediately proceed with the 2019 Street Rehabilitation Program 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.

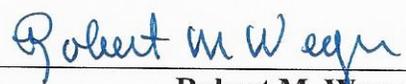
PASSED: April 11, 2019

Submitted to the Mayor for his approval on this 11 day of April, 2019

ATTEST:  
  
Victoria Ann Savage, CMC  
Clerk of Council

  
~~Nancy E. Fellows~~  
President of Council *Rokem*

Approved by the Mayor  
April 12 2019

  
Robert M. Weger  
Mayor