

City of Willoughby Hills

ORDINANCE NO. 2009-78

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH CT CONSULTANTS, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR THE CONSTRUCTION PHASE OF THE EUCLID CREEK TRIBUTARY WATERSHED SANITARY SEWER IMPROVEMENTS – ASSESSMENT AREA “C” AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 2000-50, as adopted by Council on September 14, 2000 authorized and directed the Mayor to enter into an Agreement with CT Consultants, Inc. for professional engineering services for the planning, design, and construction-related services for the Euclid Creek Tributary Interceptor Sewer; and

WHEREAS, Ordinance No. 2002-118, as adopted by Council on December 12, 2002 authorized and directed the Mayor to enter into an Agreement with CT Consultants, Inc. dated December 13, 2002 for the planning, design, construction administration and inspection for construction of various sanitary sewer improvements in the Euclid Creek Tributary Watershed (ECTW) Sanitary Service District in accordance with the recommendations of the Euclid Creek Tributary Watershed Sanitary Sewer Master Plan as prepared by CT Consultants, Inc. dated August, 2002; and

WHEREAS, the City has elected to phase the implementation of the ECTW improvements; and

WHEREAS, Ordinance No. 2005-32, as adopted by Council on May 27, 2005 authorized and directed the Mayor to enter into an Agreement with CT Consultants, Inc. dated June 1, 2005 for the planning, design, and bidding services for the final phase of the Euclid Creek Tributary Watershed Sanitary Sewer Improvements (ECTW) Sanitary Sewer Improvements (Assessment Area “C”); and

WHEREAS, the City has elected to proceed with the construction of the final phase of the ECTW Sanitary Sewer Improvements and wishes to now authorize that professional engineering services be provided for the construction phase of the ECTW improvements referred to as Assessment Area “C”.

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 approve and execute the Work Authorization, dated October 1, 2009 with CT Consultants, Inc. providing for construction-related services for the Euclid Creek Tributary Watershed Sanitary Sewer Improvements – Assessment Area “C” substantially pursuant to the terms and conditions identified and outlined in “**Exhibit A**”, (Work Authorization, and Contract Task Summary in accordance with Engineer’s Services Exhibits marked “A”, “C”, “J”) consisting of eleven (11) pages attached hereto, and incorporated herein by reference, not to exceed **\$500,000** in accordance with the Agreement dated December 13, 2002.

SECTION 2. For purposes of definition and clarity, this Agreement is based upon the implementation of the final recommendation made in a report entitled “Euclid Creek Tributary Watershed – Sanitary Sewer Master Plan” for the City of Willoughby Hills, Ohio as prepared by CT Consultants, Inc. and dated August, 2002.

SECTION 3. Assessment Area "C" is divided into two (2) construction contracts; 5 and 6 that will include sanitary sewer improvements on White Road, Bishop Road, Tall Tree Trail, Lynn Drive, Willow Lane, Erich Drive, Cricket Lane, Eddy Road, Sayle Drive and Rockefeller Road.

SECTION 4. 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 5. 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 a municipal department and further reason being to allow the City to remain in compliance with the OWDA Board schedule set forth for this project; wherefore, this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: [Signature], 2009

[Signature]
David A. Reichelt
President of Council, Pro-tem

Submitted to the Mayor for his approval on this 22 day of October, 2009

Approved by the Mayor
October 22, 2009

ATTEST:

[Signature]
Victoria Ann Savage, CMC
Clerk of Council

[Signature]
Robert M. Weger
Mayor

ORDINANCE NO. 2009-78

I, Victoria Ann Savage, Clerk of Council for the City of Willoughby Hills, Lake County, Ohio do hereby certify that the foregoing **Ordinance No. 2009-78** was duly and regularly passed by the Council of the City of Willoughby Hills, Lake County, Ohio at a meeting held on **October 22, 2009**.

That this legislation was posted according to law and duly advertised pursuant to Ordinance No.2003-19 in the **Lake County News-Herald** on **October 28, 2009**. Effective date of Legislation: **October 22, 2009**.

[Signature]
Victoria Ann Savage, CMC
Clerk of Council