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City of Willoughby Hills

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ORDINANCE NO. 2011-47

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT AMENDMENT WITH CT CONSULTANTS, INC. TO PROVIDE ADDITIONAL 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, Ordinance No. 2009-78, as adopted by Council on October 22, 2009 authorized and directed the Mayor to enter into an Agreement with CT Consultants, Inc. dated October 23, 2009 for the construction of the final phase of the ECTW Sanitary Sewer Improvements; and

WHEREAS, In accordance with the Agreement, dated December 13, 2002, the Construction Administrative Staff of CT Consultants, Inc. provided construction administration, inspection and related services on the Euclid Creek Sanitary Sewers – Area C, Contracts 5 & 6, and as part of their work, additional services were required in accordance with **Section A2.02-Required Additional Services** of the Agreement.

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 enter into a contract amendment with CT Consultants, Inc. to provide additional construction-related services for the Euclid Creek Tributary Watershed Sanitary Sewer Improvements – Assessment Area “C” substantially pursuant to the terms and conditions as identified in the **Work Authorization dated June 20, 2011** and as outlined in the Engineer’s correspondence dated June 20, 2011 all of which is attached hereto, marked as **Exhibit “A”** consisting of seven (7) pages, incorporated herein by reference, and is not to exceed **\$34,000** in accordance with the Agreement dated December 13, 2002.

SECTION 2. For purposes of definition and clarity, the aforesaid Agreement was 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" was divided into two (2) construction contracts; 5 and 6 providing 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 provides for the City to immediately approve the Work Authorization, dated June 20, 2011 in order to proceed with the acceptance of the Final Levying of Special Assessments for ECTW Assessment Area "C"; wherefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: June 27, 2011

Submitted to the Mayor for his approval
on this June day of June, 2011

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Kevin D. Malecek
Kevin D. Malecek
President of Council

Approved by the Mayor

June 27, 2011

Robert M. Weger
Robert M. Weger
Mayor