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City of Willoughby Hills

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ORDINANCE NO. 2012 – 37

AN ORDINANCE AUTHORIZING THE MAYOR TO INCREASE THE ORIGINAL CONTRACT FEE WITH CT CONSULTANTS, INC. TO PROVIDE ADDITIONAL PROFESSIONAL ENGINEERING SERVICES FOR THE ROGERS ROAD SLOPE FAILURE IMPROVEMENTS; AND DECLARING AN EMERGENCY.

WHEREAS, the City directed CT Consultants, Inc. to proceed with the Rogers Road Slope Failure Improvements for a not to exceed fee of \$51,640 as authorized in Ordinance No. 2012-6 to minimize the impact of a slope failure and to mitigate further damage to Rogers Road; and

WHEREAS, additional engineering services were required to prepare the legal documents and to negotiate two (2) drainage easements deemed necessary after the design was fully developed; additional field supervision and coordination for other erosion areas; and, to provide funding coordination, design and construction to repair a second slope failure in close proximity to the original slope failure on Rogers Road; and

WHEREAS, a change order was issued to Marous Brothers Construction, Inc. to make repairs to the second slope failure; and

WHEREAS, CT Consultants, Inc. has requested funding from the Lake County Stormwater Management Department to provide funds for additional services; and

WHEREAS, the City wishes to authorize additional professional engineering services be provided for the project.

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

SECTION 1. That the Mayor is hereby authorized and directed to increase the contract fee with CT Consultants, Inc. by **\$9,000.00** to provide additional management, design and construction-related engineering services for the Rogers Road Slope Failure Improvements substantially pursuant to the terms and conditions as identified in the letters dated June 12, 2012 and July 10, 2012 and a Work Authorization attached hereto as Exhibit A, consisting of four (4) pages and incorporated herein by reference; and, in accordance with the Engineering Agreement dated April 17, 2007.

SECTION 2. 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 3. That 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 additional professional engineering services required for the Rogers Road Slope Failure Improvements as provided by CT Consultants, Inc. to keep the project moving forward in an expeditious manner in order to minimize and mitigate any further damage to Rogers Road by a second slope failure; wherefore, this ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: July 26, 2012

Submitted to the Mayor for his approval
on this 26 day of July, 2012

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

David A. Reichelt
David A. Reichelt
President of Council

Approved by the Mayor

July 26, 2012
Robert M. Weger
Robert M. Weger
Mayor