

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 141

By: Mayor Perciak and Mr. Daymut

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A MODIFICATION TO THE PROFESSIONAL SERVICES PROPOSAL AGREEMENT BETWEEN THE CITY OF STRONGSVILLE AND R.E. WARNER & ASSOCIATES, INC., IN CONNECTION WITH THE SR 237 (PROSPECT ROAD) AND ALBION ROAD INTERSECTION IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2013-100, Council authorized the Mayor to enter into an agreement with R.E. Warner & Associates, Inc. for professional engineering design and consulting services (the "Proposal") for the SR 237 (Prospect Road) and Albion Road Intersection Improvements Project (the "Project"), in an amount not to exceed \$228,780.00; and

WHEREAS, due to budgetary constraints, the construction of the Project did not commence; and

WHEREAS, the City's Engineer has now recommended that in order for the Project to proceed, it would be in the best interests of the City to include modifications to the scope and cost of the Professional Services Proposal by R.E. Warner & Associates, Inc., so that the previous plans for the intersection improvements Project can be updated to current standards to complete the Project, and additionally, to provide for the replacement of the existing water main within the aforementioned intersection, all as more fully set forth in Exhibit "A" attached hereto and incorporated herein as if fully rewritten, and to provide additional payment for such modifications to the Proposal, in the total amount of \$47,500.00, for a new total Proposal of \$276,280.00.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

Section 1. That the Mayor be and is hereby authorized and directed to enter into a modification to the Professional Services Proposal Agreement, in the total amount of \$47,500.00, as recommended by the City Engineer and requested by the City, reflected in Exhibit "A", and to direct the Director of Finance to make payment to **R.E. WARNER & ASSOCIATES, INC.**, in the additional amount of \$47,500.00, thereby increasing the total Proposal cost to \$276,280.00.

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Section 2. That the funds necessary for this Ordinance have been appropriated and shall be paid from the Prospect/Albion Capital Improvement TIF Fund, and that the Director of Finance be and is hereby authorized and directed to issue the City's warrants for payment accordingly, and in accordance with the terms and conditions of the Proposal.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to provide for modifications to the scope of work and cost proposal, to facilitate payment to the contractor for additional work requested by the City, to avoid potential legal problems, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

Kenneth M. Dooner
President of Council

Approved: Thomas B. Buell
Mayor

Date Passed: September 5, 2017

Date Approved: September 6, 2017

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daymut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DeMio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dooner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schonhut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Short	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Southworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attest: Aimee Pimenton
Clerk of Council

ORD. No. 2017-141 Amended: _____
 1st Rdg. 09-05-17 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: 09-05-17 Seated: _____

PROFESSIONAL SERVICES PROPOSAL

CITY OF STRONGSVILLE, OHIO SR 237 (Prospect Road) & Albion Road Intersection Improvements

PREPARED BY:
R.E. WARNER & ASSOCIATES, INC.
LA OFFICE PLAZA II, SUITE 200
25777 DETROIT ROAD
WESTLAKE, OHIO 44145
PHONE: (440) 835-9400
FAX: (440) 835-9474

SCOPE OF WORK

R.E. Warner provided Final Plans for the SR 237 (Prospect Road) and Albion Road Intersection Improvements project to the City of Strongsville in May 2014. The plans need to be updated to current standards to complete the project.

Additionally, approximately 900 LF of 12" water main on Prospect Road and approximately 850 LF of 12" water main on Albion Road needs to be replaced. The plans will be altered to include this work. Plan submissions will be made at various stages of completion for review and comment. Two progress review meetings will be held to review the design and plan preparation progress. Upon approval of the plans, we will proceed with preparing the final plans, details, quantities, technical specifications, legal advertisement, bid documents, final easement sketches and legal descriptions, final OPC, and prepare the 90% submission of complete plans to the City, Division of Water and utility agencies for final review and comment. Upon disposition of any final comments, we will complete the final construction plans, bid documents, applications will be finalized and submitted to the OEPA. Upon the disposition of all final City, agency, and utility comments and approval of the completed final plans and bid documents, we will prepare the 100% final tracings and agreed upon deliverables for approval.

SCHEDULE

A mutually agreed upon schedule and review times will be developed to meet the City's objectives for construction upon receipt of a written notice to proceed.

PRICE PROPOSAL

Our services covered herein shall be provided for a lump sum amount of **\$47,500** plus expenses. Of this fee, \$10,000 is to update the plans to current standards, and \$37,500 is for the watermain replacement plans.

Previous Contract	\$228,780
Change Order Amount	\$47,500
New Total Contract Amount	\$276,280

PROFESSIONAL SERVICES PROPOSAL

Mr. Ken Mikula, P.E.
City of Strongsville

June 29, 2017
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METHOD OF PAYMENT

Payment for our services shall be monthly. Our invoices will be based upon our estimate of the proportion of the total services actually completed at the time of billing including any direct costs incurred at the time of invoicing.

TERMS AND CONDITIONS

All work shall be done in accordance with the terms and conditions agreed upon in the original contract.

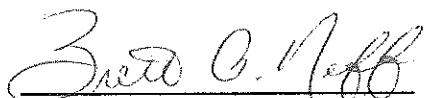
ACCEPTANCE

To indicate your acceptance of this change order, please sign below and return one copy to us.

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ACKNOWLEDGED AND ACCEPTED

R.E. WARNER & ASSOCIATES, INC.

By



Brett A. Neff

Title

Senior Vice President

Date

June 29, 2017

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ACKNOWLEDGED AND ACCEPTED

CITY OF STRONGSVILLE

By


Thomas P. Perciak

Title

Mayor

Date

Sept. 6, 2017