

P/C 3-1-22 Finance
CA _____
1st R 3-1-22
2nd R 3-15-22
3rd R _____
B/C _____

CITY OF BROOK PARK, OHIO

ORDINANCE NO: 11240-2022

INTRODUCED BY: MAYOR ORCUTT

AN ORDINANCE

AUTHORIZING THE FINANCE DIRECTOR TO ISSUE PAYMENT TO MAKOVICH & PUSTI, ARCHITECTS, AND DECLARING AN EMERGENCY

WHEREAS, the former administration entered into a contract with the firm Makovich and Pusti on November 15, 2021, to provide a proposal for power and lighting design and engineering for the central park complex master plan; and

WHEREAS, Makovich and Pusti have provided drawings and renderings to the City of the proposed power and lighting design and engineering for the central park complex plan.

NOW THEREFORE, BE IT ORDAINED, by the Council of the City of Brook Park, State of Ohio, that:

SECTION 1: Authorization is given to the Finance Director to issue payment to Makovich & Pusti, Architects, for the work they have provided to the City; the aforesaid work is further described in the contract attached hereto and incorporated herein as Exhibit "A".

SECTION 2: The money needed for the aforesaid transaction shall be paid from fund #401, Capital Improvement, in an amount not to exceed \$29,450.00.

SECTION 3: 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 of any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4: This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of said City, and for the further reason to pay for designs provided by Makovich & Pusti, therefore this Ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.



PASSED: 3-15-22

M. J. Venturo
PRESIDENT OF COUNCIL

ATTEST: *Carol Johnson*
Clerk of Council

APPROVED: *Edmund A. Lunt*
MAYOR

3-15-22
DATE

CERTIFICATE

Carol Johnson, Clerk of Council, of the City of Brook Park, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ordinance Resolution No. 11240-2022 passed on the 15 day of MARCH 2022 by said council.

Carol Johnson
Clerk of Council

I, Carol Johnson, Clerk of Council for the City of Brook Park, State of Ohio, do hereby certify that there is no newspaper of general circulation in the municipality and that publication of the foregoing ordinances/resolutions was made by posting true copies at five of the most public places in said municipality as determined by Ordinance No. 4838-1975; location City Hall 6161 Engle Road, Police Station 17401 Holland Road, #2 Fire Station 22530 Ruple Parkway, #3 Fire Station 17401 Holland Road, Brook Park Library 6165 Engle Road, for a period of fifteen days.

commencing 3-16-2022
Carol Johnson
CAROL JOHNSON
Clerk of Council

	Yea	Nay
Troyer	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Mencini	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roberts	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Scott	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Coyne	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Poindexter	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Salvatore	<input checked="" type="checkbox"/>	<input type="checkbox"/>

I HEREBY APPROVE THE WITHIN
INSTRUMENT AS TO LEGAL FORM
AND CORRECTNESS

[Signature]
DIRECTOR OF LAW



September 3, 2021

Mark Elliott
Recreation Director
City of Brook Park
6161 Engle Rd.
Brook Park, Ohio 44142

Email: melliott@cityofbrookpark.com

Re: Proposal for Power & Lighting Design & Engineering
Central Park Complex Master Plan
City of Brook Park

Dear Mark:

Makovich & Pusti Architects, Inc. (MPA) has prepared this proposal to provide the architectural and engineering services for the above referenced project. To facilitate your review of our proposal, it has been organized as follows:

- Scope of Work
- Scope of Services
- Proposed Design Team
- Fee Proposal
- Qualifications and Assumptions
- Additional Services
- Owner Provided Documentation
- Authorization/Agreement

SCOPE OF WORK

The scope of the project is to provide the City of Brook Park with exterior site lighting throughout the Central Park Complex Master Plan area. Specific areas for lighting include sidewalks, exercise areas, volleyball courts, script Brook Park sign, new water feature, and walking paths along perimeter of property boundary. In addition, lighting will be incorporated into the interior and exterior area of the gazebo, and lighting and power provisions will be provided for the amphitheater and surrounding areas, including provisions for incorporating emergency egress lighting within this area.

The existing electrical service will be surveyed to understand where the power is located and how the power could be most efficiently distributed for the lighting.

The design will incorporate layered lighting to define the spatial characteristics of the environment and help minimize dark areas that would otherwise serve as areas of concealment.

The goal is to select and provide the new and redistributed lighting in an energy efficient approach and to help educate the general public on energy savings. The responsible use of energy shall be evident in the lighting design for this project, as all installed luminaires shall utilize LED technology, be energy-efficient, and be controlled via a wireless lighting control system to assist with achieving energy goals. Automating the luminaires to reduce lighting when it's not needed will minimize energy consumption, which can reduce costs, and achieve a higher degree of sustainability for the project.

At the completion of the lighting design, the master plan will be updated and will include a new layer for the proposed lighting. The package will then be reviewed with the City Stakeholders for comments. After review and approval, it will then be packaged for the submission to the City's Planning Board.

Upon approval of the Planning Board, our team will initiate the Construction Drawings for the project that could be used to obtain quotes from contractors.

SCOPE OF SERVICES

Schematic Design

- Perform one (1), 1-day electrical pre-design site observation and provide a report of existing conditions
 - The purpose of this visit will be to provide the City with a detailed summary of available power availability, for work associated in future phases
- Review existing building drawings to better understand the parameters of the project
- Create initial concepts for lighting design

Design Development

- Provide a design charrette with the City stakeholders to understand the need of the project to assist in the lighting layouts
- Provide an Ohio Building Code survey for the energy and control requirements
- Develop Lighting Fixture Options for review with the City stakeholders
- Coordination of lighting fixture layouts
- Finalize lighting fixtures with the City stakeholders
- Provide lighting photometrics using for the above-mentioned luminaires
- Create an Order of Magnitude Probable Construction Cost for lighting/control systems
- Prepare Design Development drawings in electronic format for the lighting and controls
- Incorporate the lighting and control information into the overall Master Plan
- Review the information with City stakeholders
- Submit to the City of Brook Park Planning Board for approval

Construction Documents

- Incorporate any Design Development comments into the Construction Documents
- Finalize equipment and material selections, electrical load calculations, and lighting and power design calculations
- Provide details for mounting of luminaires where required including the concrete bases
- Prepare Construction Drawings and standard CSI six-digit division format book specifications setting forth the requirements of the project in sufficient detail for bidding, permits, and construction
- Conduct a final review with City stakeholders and obtain sign-off of completed Construction Documents
- Submit stamped and signed PDF drawings and specifications for plan approval and building permit

Bidding and Award Phase Services

- Forward electronic bidding document file to a print company for distribution to bidders
- Respond to RFI questions during the bidding period
- Issue addenda as required during the bidding period
- Attend and conduct a pre-bid meeting and walk-thru of project area

Construction Administration

- Perform one (1) site visit to observe the progress of construction
- Perform final aiming of all adjustable luminaires as required (during nighttime)
- Review Contractor's shop drawings and submittals as are noted in the contract documents – maximum of 2 reviews per submission
- Respond to Contractor's Requests for Information (RFI's)
- Perform a final site visit to observe the work and prepare punch-list

Note: The Scope of Services includes the following disciplines:

- Architectural/General Trades
- Electrical Engineering (Power, Lighting)

PROPOSED DESIGN TEAM

Architectural

Makovich & Pusti Architects, Inc. (MPA)
111 Front Street
Berea, Ohio 44017
Don Rerko, AIA, NCARB - Sr. Mgr.
Pamela Haberman - Project Designer

phone: (440) 891-8910
e-mail: drerko@mparc.com
e-mail: phaberman@mparc.com

Electrical

Osborn Engineering (OE)
1100 Superior Ave., Ste 300
Cleveland, OH 44114
Marian K. Perez, LC, Associate IALD, MIES - Director of Lighting Design

phone: (216) 861-2020, 3094
e-mail: mperez@osborn-eng.com

FEE PROPOSAL

Makovich & Pusti Architects, Inc. proposes to provide as the base fee the above-listed services for a not-to-exceed fee of \$29,450 (Twenty-Nine Thousand, Four Hundred and Fifty Dollars), plus reimbursable expenses.

Makovich & Pusti	\$ 5,000
Osborn Engineering	\$24,450

Optional Service

Relocation of Existing Overhead Lines into Underground Ducts - \$26,040 (not included in the above fees) The breakdown of the fee is as follows:

Civil Engineering:	\$11,040
Electrical Engineering:	\$15,000

As an additional service, we could provide the civil and electrical engineering services for the drawing development to be used in a future project for the relocation of the existing overhead utilities into underground ducts. (this scope is not included in the base fee above)

The scope shall include:

- Site visit to observe project area
- Develop construction documents for approximately 1,200' (750' off of Holland Rd & 450' off of Engle Rd) feet of existing overhead utilities into underground duct banks
- Plans to include Cover Sheet, Existing Conditions/Demolition Plan, Utility Plans & Details
- Backgrounds will be developed using available GIS information
- Meetings with utility stakeholders to coordinate design

Exclusions:

- Boundary, location, and topographic survey
- Subsurface utility location services

Reimbursable expenses shall be billed at 1.10 times direct cost, and shall include:

- Plotting and Printing
- Postage of Packages and Delivery Services
- City Review Fees
- All mileage associated with project billed at current IRS rates

Reimbursable expenses are estimated to cost \$1,500.

Invoices will be issued on a monthly basis for time expended toward the fee, plus reimbursable expenses, incurred during the preceding month. Invoices are considered due upon receipt. Invoices outstanding beyond 35 days may be subject to a late charge of 1.5% per month on the unpaid balance. Unpaid invoices beyond 45 days will result in suspension of work on the project.

QUALIFICATIONS AND ASSUMPTIONS

The following qualifications and assumptions are being made:

- The terms and conditions of AIA document B104-2017 are included in this proposal by reference
- To help facilitate the issue resolution process, we ask that the City of Brook Park require the contractors to respond in writing to issues identified by the design team within 15 working days per your agreement with the contractor
 - Contractor shall note whether they concur or disagree with each item in the issues log
 - For items where the contractor agrees, they shall provide a timetable to make corrective action
 - For items where the contractor disagrees, they shall describe why they disagree
- Our team shall have no responsibility for the identification, presence, handling, removal, or disposal of Hazardous Containing Materials (HCM) in any form at the Project site, including but not limited to asbestos, asbestos products, polychlorinated biphenyl (PCB) or other toxic substances, other than noted earlier. The Owner shall inform our team of all known or suspected hazardous substances, materials or constituents that may be present at the site.
- This proposal does not include material testing of any kind, including but not limited to geotechnical investigations, site environmental services, or ecological services and associated permits including wetlands or streams, etc.
- This scope does not include any deconstructive testing or investigation. As such, MPA cannot confirm any systems or elements not clearly visible.
- All drawings will be transmitted to the Owner or printing company in electronic PDF format. Paper copies of the drawings, if required, will be obtained from a printer, and paid by the City of Brook Park.
- Our fee assumes the existing electrical utility service and associated distribution system have the capacity to accommodate the proposed renovations and does not require upgrades - Any upgrades to these systems would entitle us to additional design fees
- All permit costs will be the responsibility of the City of Brook Park, or your selected contractors

ADDITIONAL SERVICES

Additional services will only be provided upon written authorization of the Owner. The following services are not included in our design fee, but could be provided at an additional cost:

- Boundary/topographic surveying, signage, landscape architecture
- Any engineering other than electrical and structural engineering noted in this proposal
- Re-design time associated with Owner initiated changes after design is 60% complete

- Physical building models, 3-D digital imaging, models, or renderings other than those noted in this proposal
- Local utility company applications or public utility extensions or upgrades
- The preparation of the "front end" specifications for the project manual – our specifications only include technical specifications
- Regular attendance of engineering at construction job meetings or site management
- Any USGBC LEED® certification, documentation, or other sustainable certification services
- Commissioning of any systems
- Energy modeling to demonstrate predicted performance in excess of the prescriptive requirements
- Security or surveillance systems
- Time associated with Owner initiated construction phase bulletins, evaluation of contractor substitutions, alternates, value engineering, fast track construction, or multiple bid packages
- Record drawing revisions based on contractor "as-built" drawings.

Additional services not specifically identified herein will only be provided upon written authorization of the Owner and will be based on the team's Standard 2021 Hourly Rates.

OWNER PROVIDED DOCUMENTATION

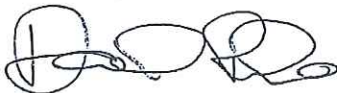
For the purposes of this project, the following information must be supplied by the Owner:

- Any critical milestone dates
- Copies of previous contract record, or as-built drawings, showing existing services, and electrical utilities in as much detail as is possible
- Owner's standard construction project manual and contract format
- A list of preferred contractors, vendors, materials, and/or equipment standards, if any
- Access to the proposed renovation areas of electrical spaces and system

Makovich & Pusti Architects and Osborn Engineering are prepared to proceed with this project upon receipt of your written authorization to proceed. At your option a contract can be written utilizing the standard AIA Document B104-2017 Agreement, issue MPA a purchase order, or this proposal can be used as a contract by returning one copy with an authorized signature to our office.

Thank you for the opportunity to submit this proposal and we very much appreciate you thinking of Makovich & Pusti on this project! Please contact me via email or my mobile at 216.633.3965 if you have any questions.

Sincerely,



Don Rerko, AIA, NCARB

cc: Sean Johnson. Marian K. Perez & Accounting

AUTHORIZATION/AGREEMENT

I, Mike Gammelle Mayor, hereby state that I am authorized
PRINT NAME & TITLE **

by CITY OF BROOK PARK to authorize Makovich & Pusti Architects, Inc. to
PRINT NAME OF OWNER

proceed with the scope of work as stated in the attached proposal and agree to remit payments within 35 days of invoice dates. By signing this authorization, I (we) take full responsibility for any and all charges made in this matter on my (our) behalf.

[Signature] 11/15/2021
SIGNATURE/TITLE DATE

** Authorization must be completed by a person representing the entity responsible for payment.

Please Provide the Following Contact Information

Contact Person	<u>CLAUDIO KUCHARIK</u>
Phone Number	<u>216-433-1300 X 4244</u>
Fax Number	<u>216-433-1511</u>
e-mail Address	<u>CKUHARIK@CITY OF BROOK PARK.COM</u>
Billing Address	<u>6161 ENGLE RD.</u> <u>BROOK PARK, OHIO 44142</u>
PO Number	<u></u>

N. SECOND READING OF ORDINANCES AND RESOLUTIONS:

Res. No. 4-2022

A RESOLUTION APPROVING PARTICIPATION IN REGION 3 GOVERNANCE STRUCTURE UNDER THE ONEOHIO MEMORANDUM OF UNDERSTANDING, AND DECLARING AN EMERGENCY.

Ord. No. 11240-2022

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR TO ISSUE PAUMENT TO MAROVICH & PUSTI, ARCHITECTS, AND DECLARING AN EMERGENCY. Introduced by Mayor Orcutt.

O. THIRD READING OF ORDINANCES AND RESOLUTIONS:

1. ORD. NO. 11237

AN ORDINANCE AMENDING SECTION 537.05 OF THE BROOK PARK CODIFIED ORDINANCES ENTITLED "AGGRAVATED MENACING", AND DECLARING AN EMERGENCY.

2. ORD. NO. 11238

AN ORDINANCE AMENDING CERTAIN SECTIONS OF THE ADMINISTRATIVE CODE TO PROVIDE ADJUSTMENTS IN COMPENSATION FOR EMPLOYEES OF THE CITY, OTHER THAT ELECTED OFFICIALS OR THOSE COVERED UNDER NEGOTIATED LABOR CONTRACTS, AND DECLARING AN EMERGENCY.

P. ADJOURNMENT:

Posted: 3/11/22