

CITY OF BROOK PARK, OHIO

Special Council
P/C 7/25/23 Legislative
SPCA 7-25-23
1st R _____
2nd R _____
3rd R _____
B/C _____

ORDINANCE NO. 11345-2023

INTRODUCED BY: MAYOR ORCUTT

**AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH INDEPENDENCE EXCAVATING, INC.,
AND TO PROCURE THE NECESSARY CONSTRUCTION
ADMINISTRATION, CONSTRUCTION OBSERVATION, AND
CONSTRUCTION TESTING SERVICES FOR THE
WEDO PARK STORM WATER BASIN PROJECT,
AND DECLARING AN EMERGENCY**

WHEREAS, the Wedo Park Storm Water Basin has been identified as a Project to help manage storm water runoff within the City of Brook Park;

WHEREAS, pursuant to Ordinance No. 11341-2023 passed on May 16, 2023, the Mayor publicly advertised for Bids for the Wedo Park Storm Water Basin Project (CT 202211);

WHEREAS, five (5) Contractors submitted Bids, which were opened and read aloud on June 15, 2023;

WHEREAS, the Bid submitted by Independence Excavating, Inc., has been determined to be the lowest and best;

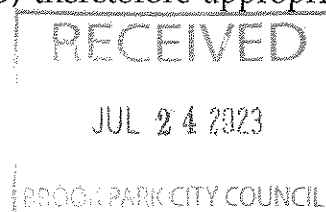
WHEREAS, the City of Brook Park is prepared to commence with the construction of the Project.

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

SECTION 1: The Mayor is authorized to enter into a construction contract with Independence Excavating, Inc., for the Wedo Park Storm Water Basin Project (CT 202211).

SECTION 2: The Consulting City Engineer (Euthenics, Inc.) is hereby authorized to provide the necessary bidding, administration, observation, and testing services for the Project. Payment for the aforementioned services shall be in accordance with the Exhibit "A" attached hereto.

SECTION 3: The money needed to complete the aforesaid transaction shall be paid from the Sewer Improvements Fund No. 459, theretofore appropriated or to be appropriated for said purpose.



SECTION 4: 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 5: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety of said City, and for the further reason that City Council deems it necessary to proceed with the Construction Phase of the Wedo Park Storm Water Basin Project as soon as possible, therefore, provided this Ordinance receives the affirmative vote of at least five (5) members elected to Council, it shall take effect and be in force immediately from and after its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

PASSED:

July 25, 2023

[Signature]
PRESIDENT OF COUNCIL

ATTEST:

[Signature]
CLERK OF COUNCIL

APPROVED:

[Signature]
MAYOR

7/25/23
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. 11345-2023

passed on the 25 day of July
20 23 by said council.

[Signature]
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 7-26-23
[Signature]
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

City of Brook Park
Wedo Park Storm Water Basin Project
Contract 202211
Bidding, Administration, Observation, & Testing Services - Manhour Estimate

SCOPE OF SERVICES	Principal	Project Manager	Project Engineer	Project Observer	Clerical Misc.	Total Hours
<i>Bidding Phase</i>						
Bidding - Contractor Questions and Issue Addendum	4	16	12	0	0	32
Bid Opening, Tally, Analysis and Recommendation	0	4	4	0	2	10
Bidding Phase Hours	4	20	16	0	2	42
<i>Construction Phase</i>						
Preconstruction Meeting	2	4	6	4	2	18
Shop Drawing Review	0	16	20	4	2	42
Construction Progress Meetings	0	12	28	0	20	60
Daily Project Administration	8	12	120	0	24	164
Daily Project Observation	0	0	0	640	32	672
Post Construction Meeting and Final Inspection	2	4	4	4	2	16
Interpret & Provide Clarifications to Contract Documents	0	18	18	0	0	36
As-Built Drawings, As Required	0	0	2	0	0	2
Process Payment Requests/Review Change Orders	4	18	36	12	8	78
Material Management, Testing & Certification	0	6	8	8	4	26
Construction Phase Hours	16	90	242	672	94	1114

Overhead Rate = 146%
Net Fee Rate = 10%

Bidding Phase

Estimated Labor Costs \$5,531.06
Estimated Direct Expenses \$0.00
Bidding Phase Total = \$5,531.06

Construction Phase Administration

Estimated Labor Costs \$48,026.09
Estimated Direct Expenses \$100.00
Sub-Total = \$48,126.09

Construction Phase Observation

Estimated Labor Costs \$52,734.53
Estimated Direct Expenses \$250.00
Sub-Total = \$52,984.53

Construction Phase Testing

Estimated Material Testing \$7,500.00
Sub-Total = \$7,500.00

Bidding Phase and Construction Phase Estimated Total = \$114,141.68

Exhibit "A"

