

ORDINANCE NO. 99-72 AC CMS

AN ORDINANCE APPROVING A CONTRACT WITH BRANDSTETTER, CARROLL, ZOF CIN, INC. OF CLEVELAND, OHIO, FOR ENGINEERING SERVICES RELATING TO THE HAMILTON ROAD RECREATION COMPLEX AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, a majority of all members elected thereto concurring:

SECTION 1. That the City Manager is hereby authorized and directed to enter into contract with Brandstetter, Carroll, Zofcin, Inc. of Cleveland, Ohio, for engineering services relating to the design of baseball fields, soccer fields and related drainage and utilities at the Hamilton Road recreation complex upon terms and conditions set forth in the proposed contract attached hereto as Exhibit "A" and incorporated herein by reference, and in an amount not to exceed \$74,392.00.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or related 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.

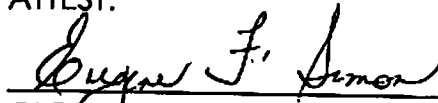
SECTION 3. This ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of the citizens of Oberlin, Ohio, to wit:

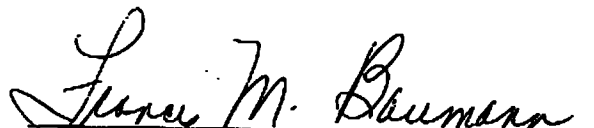
"to obtain the services of a professional engineer at the earliest possible date"

and shall take effect immediately upon passage.

PASSED: 1st Reading - October 18, 1999 (E)
2nd Reading -
3rd Reading -

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: October 19, 1999

EFFECTIVE DATE: October 19, 1999

**AGREEMENT
HAMILTON ROAD PARK
OBERLIN, OHIO**

This Agreement made on OCTOBER 21, 1999 (date) between the City of Oberlin (Owner) and Brandstetter Carroll Zofcin Inc. (Architect/Engineer) whereas Architect/Engineer proposes to provide planning and design services for the Hamilton Road Park with respect to the development of baseball, softball and soccer fields and other amenities.

I. Scope of Services

A. Construction Documents Phase – Architect/Engineer will:

1. Based upon the Phase I **project** budget of \$600,000, Architect/Engineer will prepare the following Construction Drawings:
 - a. Layout and Materials Plan;
 - b. Grading Plan and Earthwork;
 - c. Utility Design;
 - d. Construction Details for the proposed facilities that will be included in Phase I; and
2. Preparation of Bidding and Contract Documents (to include prevailing wage rate, Equal Employment Opportunity statement, and other documentation required by the City of Oberlin).
3. The facilities to be designed and bid in this phase shall include:
 - a. Ball fields (4)
 - b. Soccer fields (5)
 - c. Site drainage, including retention
 - d. Provision for utilities (water, sewer)
4. The design of any facilities other than those listed will be considered additional services for which Architect/Engineer is entitled to additional fees.

B. Bidding and Award Phase – Architect/Engineer will:

1. Assist the Owner with the bidding of the project. The bid sets will be distributed through Architect/Engineer's office or a local blueprint service.
2. Answer potential Contractor's questions during the bidding process and issue addenda as necessary.

3. Evaluate bids and make a recommendation regarding the award of the Contract to the successful Contractor.

C. Construction Administration Services – Architect/Engineer will:

1. Assist the Owner in administration of the Contract by performing the following:
 - a. Perform bi-weekly visits to the site to observe the construction progress and to inspect the Contractor's performance, this shall include a maximum of 12 visits to the site.
 - b. Assist in obtaining necessary permits and inform utility companies of proposed improvements;
 - c. Review Contractor's pay requests;
 - d. Review shop drawings submitted by the Contractor;
 - e. Consult with the Contractor and the Owner on problems which may arise during the course of construction and advise of needed action; and
 - f. Perform final observations.

II. Fees and Conditions

- A. For the above referenced Scope of Services, Architect/Engineer requests the following fees:**

- | | | |
|----|---------------------------------------|----------|
| 1. | Construction Documents Phase (A) | \$28,500 |
| 2. | Bidding and Award Phase (B) | \$1,900 |
| 3. | Construction Administration Phase (C) | \$7,600 |

Total Fee \$38,000

(Does not include reimbursable costs. See "C" below)

- B. The fees for items 1, 2, and 3 are based on a Phase I construction budget of \$525,608. If the construction budget is revised upward by the Owner, the fees shall be adjusted at a rate of 7.0% of the construction cost for items 1, 2 and 3. Fees are also based on the preparation of one (1) Bid Package and Construction Contract for the Phase I development.**
- C. The Owner will reimburse Architect/Engineer for the direct costs of surveying, geotechnical investigation and reproduction of the plans and specifications for distribution to: bidders; the Owner; permitting agencies; any other state and government agencies; and the successful Contractor. The Owner will pay for all permitting agency fees, review fees and the cost of permits. An estimate of reimbursable costs is as follows:**

1.	Printing	\$ 3,000
2.	Surveying	
	a. Conventional survey of western half of site	\$14,980
	b. Aerial survey of eastern half of site	\$ 7,912
3.	Soils Investigation	\$ 2,500
4.	Testing during construction	\$ 8,000

D. Architect/Engineer will invoice the Owner monthly based upon the percentage of work completed.

E. The Architect/Engineer will abide by the City of Oberlin MBE participation requirements.

III. Time of Completion

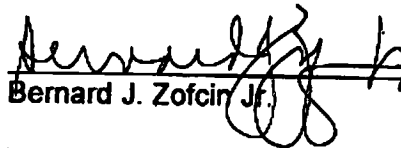
A. Completion of the project by phase will be within the time frame outlined below:

1. Construction Documents - 75 days after receipt of authorization to proceed.
2. Bidding and Award - 30 days after client authorization to advertise for bids.

This schedule is subject to adjustment to meet any critical deadlines of the City of Oberlin.

THIS AGREEMENT PROPOSED BY:

Brandstetter Carroll Zofcin Inc.


Bernard J. Zofcin Jr.

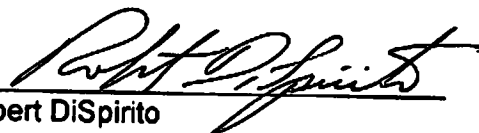
Vice President

Title

10.20.99
Date

THIS AGREEMENT ACCEPTED BY:

The City of Oberlin


Robert DiSpirito

City Manager

Title

10/21/99
Date

Approved as to form:


Eric R. Severs
City Solicitor