

ORDINANCE NO. 04-03 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH MAIN STREET OBERLIN, INC., FOR ADMINISTRATIVE SERVICES RELATING TO THE CITY OF OBERLIN CDBG DOWNTOWN GRANT PROGRAM

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:

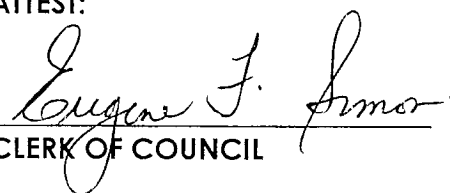
SECTION 1. That the City Manager is hereby authorized and directed to enter into an agreement with Main Street Oberlin, Inc., for administrative services relating to the City of Oberlin CDBG Downtown Grant Program, a copy of the agreement being attached hereto as Exhibit A and incorporated herein by reference, and being in the amount of \$25,000.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning or 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 actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance shall take effect at the earliest date allowed by law.

PASSED: 1st Reading – January 20, 200⁴ (E)
2nd Reading –
3rd Reading –

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: January 21, 2004

EFFECTIVE DATE: January 21, 2004

City of
Oberlin
69 South Main Street Oberlin, Ohio 44074

February 5, 2004

Geof Comings
Main Street Oberlin, Inc.
7 N. Main St., Suite 117
Oberlin, OH 44074

Re: *Agreement Between the City of Oberlin and Main Street Oberlin for the Administration of the FY '03 Ohio Small Cities CDBG Comprehensive Downtown Revitalization Grant*

Dear Geof:

For your records, please find enclosed a fully executed copy of the Agreement between the City of Oberlin and Main Street Oberlin for the above captioned grant.

Please contact our office should you have any questions.

Sincerely,



Gary Boyle
Director of Planning and Development

cc: Rob DiSpirito, City Manager
Sal Talarico, City Auditor
Eugene F. Simon, Clerk of Council

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—OHIO Magazine

AGREEMENT

This Agreement is made and concluded at Oberlin, Ohio, on this 27TH day of JANUARY, 2004, by and between the City of Oberlin, a municipal corporation, hereinafter referred to as "City", and Main Street Oberlin, Inc., an Ohio corporation, hereinafter referred to as "Main Street".

WITNESSETH:

WHEREAS, Oberlin City Council has authorized the City Manager to enter into an agreement with Main Street whereby Main Street will utilize a maximum of Twenty-Five Thousand Dollars (\$25,000.00) of the FY '03 Ohio Small cities Community Development Block Grant (CDBG) Comprehensive Downtown Revitalization Program (hereinafter referred to as "the grant") funds for the administration of the grant and will provide the services to the City as set forth in this agreement and their proposal previously submitted to the City.

NOW, THEREFORE, in consideration of the promises contained herein and other good and valuable consideration, the receipt of which is hereby specifically acknowledged, it is agreed between the parties hereto as follows:

SECTION 1. That for the time period January 2004 through October 2005, Main Street will administer the grant in the various ways and methods set forth hereinafter, and in further accordance with their proposal previously submitted to the City, said proposal and outline being incorporated herein by reference:

- Meet with building owners to discuss building improvements with architect/rehab specialist and/or acquire design standards.
- Meet with architect/rehab specialist.
- Prepare specifications/building deficiency assessment.
- Submit letter with information to OHPO, unless project type is listed on categorical exclusion agreement.

- Acquire OHPO clearance.
- Acquire copy of commitment form from CDBG application, if applicable.
- Note any changes in scope and cost.
- Verify that Davis Bacon wages are included in the cost estimate for all projects over \$2,000 that receive any CDBG funds, unless contractor owns his/her own firm and is completing all of the renovation work him/herself.
- Request Davis Bacon Wages 30 days before bid date and verify 10 days before bid date.
- Verify contractor eligibility.
- Submit sketch, work specs and invitation to bid including most recent Davis Bacon wages to at least 3 pre-certified contractors.
- Summarize quotes/bids and review for accuracy.
- Complete Notice of Contract Award and submit to Poggemeyer, as necessary.
- Call Building Department to determine if permit is needed.
- Calculate CDBG grant amount (50% matching with \$10,000 being maximum).
- Determine if building owner wants CDBG grant and Lender Commitment Program by Banks.
- Refer to CDBG grant and/or Lender Commitment Program processes.
- Verify that financing is in place with proof from Bank or Bank Account Statement.
- Verify that Design Review Board approval is in place.
- Verify that OHPO clearance is in place.
- Verify that bidding/quotes obtained properly.
- Verify that Davis Bacon wages are included in bid.
- Hold building walk-through with contractor.
- Hold pre-construction conference.
- Issue notice to proceed to contractor.
- Re-verify wage rates.
- Monitor construction start date.
- Verify completion of project.
- Request funds from the City.
- Set up and maintain filing system for documentation.
- Call State monthly for updates on prevailing wages.
- Maintain list of all projects completed which did not request/receive grant funds.
- Complete monthly Status Reports to submit to Main Street Board, City, and Poggemeyer.

SECTION 2. The City, in consideration of said services so provided, will pay Main Street the sum of not more than Twenty-Five Thousand Dollars (\$25,000.00), on a reimbursement basis, for the time period of January 2004 through October 2005 as set forth above, per a

disbursement schedule determined by the City Auditor and which shall reasonably relate to the services performed.

SECTION 3. Main Street shall provide the City with written reports specifically itemizing expenditures in the use of said funds provided by the City. The reports shall include sufficient documentation as determined by the City in order to clearly reveal the "public purpose" of each and every expenditure and to assure that the administrative functions set forth hereinbefore are performed by Main Street.

SECTION 4. The City shall have the right to demand and receive such other information from Main Street detailing the activities funded as determined necessary by the City.

IN WITNESS WHEREOF, the parties have thereto set their hands the day and year first above written.

IN THE PRESENCE OF:

THE CITY OF OBERLIN, OHIO

Gregory F. Smith
Sharon K. Pearson

By: Robert DiSpirito
Robert DiSpirito, City Manager

MAIN STREET OBERLIN, INC.

Wendie A. Fleming

By: Geoff Conroy
Its: Program Manager

APPROVED AS TO FORM:

Eric R. Severs
Eric R. Severs, City Solicitor