

(Mayor Potter)

CITY OF KIRTLAND

RESOLUTION NUMBER 21-R-22

A RESOLUTION AUTHORIZING THE MAYOR TO RETAIN THE SERVICES OF THE C.W. COURTNEY COMPANY AS ENGINEERS FOR THE DESIGN AND CONSTRUCTION ADMINISTRATION OF THE 2021 STREET REPAIR AND MAINTENANCE PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kirtland is proceeding with the advertisement for bids for a public improvement project, that being the 2021 Street Repair and Maintenance Project (hereinafter “Project”); and

WHEREAS, in accordance with the Project, the City must retain the services of an engineer to provide the design services and construction administration; and

WHEREAS, the City has previously retained the services of The C.W. Courtney Company and Douglas G. Courtney to serve as the City Engineer of the City of Kirtland when it passed Ordinance 20-O-20; and

WHEREAS, both the City and Douglas G. Courtney have signed an employment agreement which was incorporated into Ordinance 20-O-20 and addresses The C.W. Courtney Company’s role with various public improvement projects within the City; and

WHEREAS, The C.W. Courtney Company has furnished to the City a proposal for the design and construction administration for the Project, which is incorporated hereto as Exhibit A; and

WHEREAS, Kirtland Codified Ordinance 220.25 requires the posting of copies of enacted legislation for fifteen consecutive days in three places within the City, those being City Hall, the Kirtland Public Library, and the Kirtland Community Center; and

WHEREAS, due to the current state of emergency in Ohio stemming from the COVID-19 pandemic, at some point City Hall, the Kirtland Public Library, and the Kirtland Community Center have been closed in order to protect both the community and the staff from potential infection; and

WHEREAS, Kirtland Codified Ordinance 220.25 grants City Council the authority to modify the posting requirement.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kirtland, County of Lake and State of Ohio, that:

SECTION I: The Mayor be and is hereby authorized to retain the services of The C.W. Courtney Company to provide “Base Engineering Services” in connection with the design and construction administration of the 2021 Street Repair and Maintenance Project, more specifically enumerated in Exhibit A. Said authorization is not to exceed an amount greater than \$124,400.00.

SECTION II: The Mayor or his designee is hereby authorized and directed to enter into a contract or to execute any purchase orders in the furtherance of this Resolution. However, any expenditures beyond the amount listed in Section I above shall be subject to further authorization by this Council.

SECTION III: The Director of Finance is authorized and instructed to issue such vouchers and expend all funds necessary in the furtherance of this Resolution.

SECTION IV: The City Council, pursuant to its authority in Kirtland Codified Ordinance, Section 220.25 and due to the COVID-19 pandemic, hereby modifies the requirement to post this enacted legislation in three places and instead requires the following:

1. If City Hall, the Kirtland Public Library, and/or the Kirtland Community Center are open on the effective date of this enacted legislation, then the Clerk of Council is hereby directed to post the enacted legislation for fifteen (15) consecutive days after its effective date in each facility; and
2. Should any of the facilities listed above be closed on the effective date of the enacted legislation, then the Clerk of Council is not required to post the enacted legislation in that facility; and
3. The Clerk of Council is hereby directed to post the enacted legislation on the City of Kirtland’s website for fifteen (15) consecutive days after the effective date of this legislation.

SECTION V:

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were passed 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.

(b) This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that it is necessary to provide the engineering services required of the City for the 2021 Street Repair and Maintenance Project; wherefor, this Resolution shall be in full force and effect immediately upon its passage by the affirmative vote of five (5) members of Council and approval by the Mayor, otherwise this Resolution shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: _____
Second Reading: _____
Third Reading: _____

DATE PASSED: _____

President of Council

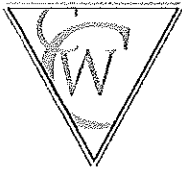
Submitted to the Mayor for his
Approval on this _____ day of
_____, 2021.

ATTEST:

Approved by the Mayor, this _____ day
of _____, 2021.

Clerk of Council
Retain CW Courtney for 2021 Street Project

Mayor Kevin F. Potter



THE C.W. COURTNEY COMPANY

700 Beta Drive, Suite 200
Mayfield Village, OH 44143

www.cwcourtney.com

Exhibit A
L.G. Courtney, PE, PS
C.L. Courtney, PE, PS, CPSWQ, CPESC
D.G. Courtney, PE

Proposal to Provide Professional Services

From: Douglas Courtney, PE
City Engineer
dcourtney@cwcourtney.com

To: The City of Kirtland
9301 Chillicothe Road
Kirtland, Ohio 44094
ATTN: Kevin Potter, Mayor
kpotter@kirtlandohio.com
C: Joe Fornaro, Service Director
jfornaro@kirtlandohio.com

Project: 2021 Street Repair & Maintenance Project,
Various Locations

Revised March 27, 2021

Scope of Services

Based on the 2021 City of Kirtland Street Plan and the City's 2021 Budget allocation for street repair and maintenance, the C.W. Courtney Company will provide surveying, design, bidding, construction administration and construction inspection services for the 2021 Street Maintenance & Repair Project in the City of Kirtland. Scope of Services will be in accordance with the *Agreement Between The City of Kirtland and The C.W. Courtney Company* dated March 3, 2020 and The C.W. Courtney Company's standard Scope of Services Document. Budgeted total project cost for the work including construction costs and overhead is **\$2,000,000**. Estimated total project cost based on the 2021 Street Plan was \$2,415,700. As the budgeted amount does not meet what was planned for in the Street plan, as part of the plan development, The C.W. Courtney Company will work with the Mayor, Service Director and Council to determine the final street rehabilitation and maintenance lists to be part of the project.

Proposed Fees:

The attached sheet provides a breakdown of design fees and total project cost based on an estimated construction cost of **\$1,810,000**. For Base Engineering Services, The C.W. Courtney Company will bill the City of Kirtland on a lump sum basis, the not to exceed amounts as indicated below.

Base Engineering Services:

Preliminary Design	\$31,100.00
Final Design	\$55,980.00
Bidding & Negotiating	\$12,440.00
Contract Administration	\$24,880.00
Total Base Engineering Services:	\$124,400.00

Supplemental Services:

Supplemental Services as indicate below per Section IV D. of the referenced agreement will be billed on an hourly basis to the estimated amounts indicated.

Field Survey & Base Plans (Billings & Springer)	\$20,000.00
Estimated Construction Inspection	\$36,000.00
Estimated Construction Layout	\$2,500.00
Total Supplemental Services:	\$58,500.00
TOTAL BASE AND SUPPLEMENTAL SERVICES:	<u>\$182,900.00</u>

Kevin Potter
2021 Street Maintenance & Repair Project
Revised March 27, 2021

Services requested outside the above listed Scope of Services will be billed on an hourly basis at the contract rates currently in force. Written Authorization shall be given before any additional services are undertaken.

We appreciate the opportunity to provide for the City's engineering needs and assuming you agree with the above proposal, we are prepared to move forward with the work upon authorization from the City and issuance of a Purchase Order.

Respectfully submitted,

THE C. W. COURTNEY COMPANY

A handwritten signature in black ink, appearing to read 'Douglas Courtney', with a stylized flourish at the end.

Douglas Courtney, PE
City Engineer

Via email
Attachments as stated.

City of Kirtland Public Improvement Project Engineering Fee Calculation
Per Kirtland/C.W. Courtney Agreement dated March 3, 2020
2021 Street Repair and Maintenance Project
Revised March 27, 2021

Base Fee Calculation per § IV B.(See Schedule Below):

Estimated Construction Cost: **\$1,810,000**

Base Engineering Fee: **\$124,400.00** 6.9%

Base Fee Proportions

Preliminary Design:	\$31,100.00
Final Design:	\$55,980.00
Bidding & Negotiating:	\$12,440.00
Construction Administration:	<u>\$24,880.00</u>

Base Engineering Fee: \$124,400.00

Supplemental Services

Field Survey and Base Plans:	\$20,000.00
Est. Construction Inspection:	\$36,000.00 (Est. 80 days @ 10 hr/day)
Est. Construction Layout: Pavement	\$2,500.00
Coring & Testing (by City):	<u>\$6,500.00</u>

Supplemental Services: \$65,000.00

Total Base & Supplemental Services: \$189,400.00 10.5%

Estimated Total Project Cost: \$1,999,400.00

Project Budget \$2,000,000.00

Δ \$600.00

Agreement Schedule IV B.

Cost of Construction

\$0 to \$100,000 10% or Hourly Rate

\$100,000 to \$500,000 Base fee of 13% of \$100,000; Plus 7.6% of amount over \$100,000

\$500,000 to \$1,000,000 Base fee of 8.7% of \$500,000; Plus 6.3% of amount over \$500,000

1,000,000 to \$5,000,000 Base fee of 7.5% of \$1,000,000; Plus 6.1% of amount over \$1,000,000

Over \$5,000,000 Base fee of 6.4% of \$5,000,000; Plus 5.6% of amount over \$5,000,000