

City of Middleburg Heights, Ohio

Ordinance No. 2021- 17

Introduced by: Mr. Bortolotto, Mr. Meany, and Mr. Grech

**AN ORDINANCE
AUTHORIZING THE MAYOR AND FINANCE DIRECTOR
TO ENTER INTO A CONTRACT WITH
MACKAY ENGINEERING
AND DECLARING AN EMERGENCY**

WHEREAS, the City's purchasing policy requires City Council approval on any single purchase of products or services exceeding \$25,000 or any professional service contract exceeding \$10,000, with the exception of items purchased through or at an amount equal to an approved cooperative purchasing agreement; and

WHEREAS, the City desires to retain the services of a competent and qualified contractor to provide certain products/services to the City; and

WHEREAS, Mackay Engineering is competent and qualified to furnish products and/or services to the City and has provided a responsive and responsible proposal, and desires to provide Engineering Services – Dog Park Project.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, CUYAHOGA COUNTY, STATE OF OHIO:

Section 1. That the Mayor and Finance Director is hereby authorized to enter into a contract with Mackay Engineering to provide certain products and/or services to the City, a copy of which is attached hereto and marked "Exhibit A".

Section 2. That there is hereby appropriated an additional \$10,600 from the General Fund to implement this Ordinance.

Section 3. That it is hereby found and determined that all formal actions of this council concerning and relating to the passage 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 chapter 107 of the Codified Ordinances and section 121.22 of Ohio Revised Code.

Section 4. That this ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public peace, health and safety of the citizens of the City of Middleburg Heights, Ohio. Therefore, this ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED 3-9-21

David Smith
PRESIDENT OF COUNCIL

ATTEST:
m meala
CLERK OF COUNCIL

PRESENTED TO MAYOR 3-10-21

APPROVED ON: 3-11-2021

	YEAS	NAYS
BORTOLOTTO	<u>x</u>	_____
ALI	<u>x</u>	_____
SAGE	<u>x</u>	_____
MEANY	<u>x</u>	_____
MCGREGOR	<u>x</u>	_____
FERENCE	<u>x</u>	_____
GRECH	<u>x</u>	_____

Matthew Cusick
MAYOR

I, Mary Ann M Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Ord. 2021-17 adopted by the Council of the City of Middleburg Hts., on 3/9/21 was posted for a period of fifteen days, beginning 3/11/21 and remained so posted for fifteen days at the two posting places as designated by Charter.

Mary Ann Meala
Clerk

CERTIFICATE

I, Mary Ann Meala, Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ord. 2021-17 passed on the 9th day of March 2021 by said Council.

Mary Ann Meala
Clerk of Council

Department of Engineering

CITY OF MIDDLEBURG HEIGHTS

15700 Bagley Road • Middleburg Heights, Ohio 44130

Matthew J. Castelli
Mayor

Michael Mackay
City Engineer



MEMO

TO: Jim Herron
FROM: Michael Mackay
DATE: February 5, 2020
RE: Middleburg/Brook Park Dog Park
18825 Sheldon Road
Middleburg Heights, Ohio

CC: Norm Herwerden
Kim Kerber
Bob Downey

As requested, the following is our estimated fee for the preparation of plans and specifications for the construction of a dog park to be jointly operated by the cities of Middleburg Heights and Brook Park. The proposed dog park is shown on the preliminary site plan prepared by Zarzycki-Malik Architects dated September 9, 2019, copy attached.

Our engineering and surveying services for this project shall consist of the following items:

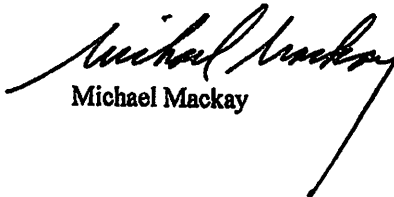
1. Topographic, utility and existing conditions survey in the area of the dog park.
2. Site plan for the proposed dog park.
3. Specifications.
4. Bid Documents.

Mackay will rely on the cities of Middleburg Heights and Brook Park and the dog park proponents for guidance and expertise on the details of the materials, dimensions, and configuration of the dog park. Existing utilities will be shown from available maps, and other information available from the City. Subsurface underground utility investigation will not be provided as part of our services hereunder. A boundary line survey of the site will not be provided as part of our services hereunder. We will provide limited construction administration during the project which will include periodic site visits and review of pay applications, but daily inspection services are not included.

Our estimated not to exceed fee to provide the above described services is \$10,600.00. This work will be performed in accordance with the current terms of our employment with the City and the hourly rates set forth therein will be applied to our actual time to complete the services described above. The not to exceed fee does not include the cost for any outside services, which would be the City's responsibility in accordance with the current terms of our employment with the City. Specifically, our services do not include any subsurface or soil

investigation, environmental design services, wetland services, or traffic engineering services. Additionally, all copying costs will be provided by a third party service and will be paid directly by the City of Middleburg Heights.

Please let me know if you have any questions, and please also let me know if you want us to proceed. We look forward to working with the City on this project.



Michael Mackay

/pmb