

DELIVERED NOV 03 2022

City of Middleburg Heights, Ohio

Ordinance No. 2022- 86

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

AN ORDINANCE
TO MAKE SUPPLEMENTAL APPROPRIATIONS
FOR CURRENT EXPENDITURES AND EXPENSES
FOR THE CITY OF MIDDLEBURG
HEIGHTS FOR THE CALENDAR YEAR 2022

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

Section 1. That in order to provide for current expenditures and expenses for the City of Middleburg Heights for the calendar year 2022, the following sums be appropriated from the General Fund:

<u>Description</u>	<u>Increase (Decrease)</u>
Gen. Govt. - Other - Misc. Contr. Services - Sheldon Road ADA Curb Ramp Eng.	\$ 7,630.00
Total Increase to the General Fund	<u>\$ 7,630.00</u>

Section 2. 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.

PASSED 11-8-22


PRESIDENT OF COUNCIL

ATTEST:
M Meala
CLERK OF COUNCIL

PRESENTED TO MAYOR 11-9-22

APPROVED ON: 11-9-22

	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 Castille
MAYOR

I, Mary Ann Meola Clerk of
the Council of the City of Middleburg Hts., Ohio,
hereby certify that Ord. 2022-86
adopted by the Council of the City of Middleburg
Hts., on 11/8/22 was posted for a period
of fifteen days, beginning 11/9/22
and remained so posted for fifteen days at the two
posting places as designated by Charter.

Mary Ann Meola
Clerk

CERTIFICATE

I, Mary Ann Meola, Clerk of Council of the City of Middleburg Heights, Ohio, do
hereby certify that the foregoing is a true and accurate copy of Ord. 2022-86
passed on the 8th day of November 2022 by said Council.

Mary Ann Meola
Clerk of Council

September 20, 2022

Mr. Edward Orcutt, Mayor
City of Brook Park
6161 Engle Road
Brook Park, Ohio 44142

And

Mr. Matthew J. Castelli, Mayor
City of Middleburg Heights
15700 Bagley Road
Middleburg Heights, Ohio 44130

Re: Sheldon Road Resurfacing– Additional
Right-of-Way for ADA Curb Ramps

Dear Mayor Orcutt and Mayor Castelli,

Included below is Euthenics, Inc.'s project description and scope of work for the necessary surveying and engineering design services for the above referenced project.

PROJECT DESCRIPTION

The project consists of resurfacing Sheldon Road from Engle Road to Smith Road for a length of approximately 1 mile. The project will also replace a water line along Sheldon Road between Engle Road and I-71.

The resurfacing portion of the project will be funded with Federal, Cuyahoga County, City of Brook Park and City of Middleburg Heights funds. The water line work will be funded with 100% City of Brook Park funds. The project will be let by Cuyahoga County. A stipulation of receiving Federal and Cuyahoga County funds is that no additional right of way is needed to build the project.

ADA curb ramps at intersections within the project limits will need to conform to the most current ADA standards. The construction cost to replace non-compliant ADA curb ramps is eligible for project funding with the condition that they can be replaced within the limits of existing right of way. Based on a review of the Cuyahoga County Tax Maps (Cuyahoga County GIS), it appears that there are numerous ADA curb ramps that are or will be outside of the existing road right of way, therefore additional right of way (easements) may need to be acquired outside of the scope of the Sheldon Road Resurfacing Project (PID 113312) and prior to the letting of said Resurfacing Project.

SCOPE AND FEE

The following tasks will need to be performed to acquire the additional right of way needed for the proper installation of ADA compliant curb ramps. These tasks are not included within the scope and fee of a "typical" road resurfacing project and therefore are not included with the scope and fee for the Sheldon Road Resurfacing Project (PID 113312).

1. Field Survey – Recover existing centerline of right of way monuments along Sheldon Road and along each of the intersecting side streets to establish the centerline of road right of ways in CAD basemap;
2. Field Survey – Detailed survey of 25 ADA curb ramps and adjacent sidewalks (12 ADA curb ramps in Brook Park, 13 ADA curb ramps in Middleburg Heights) ***This Task included within the scope and fee of the Sheldon Road Resurfacing Project (PID 113312);***
3. Records Research – Research County Records for plats and deeds to determine existing right of way widths and locations and the existence of any easements granting rights for highway or sidewalk purposes.
4. Design of ADA Compliant Curb Ramps – ***This Task included within the scope and fee of the Sheldon Road Resurfacing Project (PID 113312);***
5. Proposed Easement Documents – Prepare legal descriptions and exhibits for quadrants of the intersections that require additional right of way (easements) to construct an ADA compliant curb ramp. The exact number of easements will not be known until the Field Survey, Records Research, and ADA compliant curb ramp design are completed. For the purpose of this proposal, we are assuming that 10 easements will be needed (10 Legal Descriptions and 10 Exhibits). We will only invoice each City for Proposed Easement Documents based on the actual number of easements needed within each City. Negotiations, appraisals, recording of legal descriptions and exhibits, etc., are by others.
6. Acquisition – The number of proposed easements and the locations that require additional right of way are not known at this time, therefore right of way acquisition is not in this scope of services. Acquisition of easements within the City of Brook Park will be the responsibility of the City of Brook Park. Acquisition of easements within the City of Middleburg Heights will be the responsibility of the City of Middleburg Heights. Acquisition Services shall include the recording of Easement Documents as described in number 5 above.

Euthenics Fee (see above Scope):

1.0 – Field Survey – Right of Way Monuments	\$3,960.00
2.0 – Field Survey – ADA Curb Ramps	\$Not in this contract
3.0 – Records Research	\$2,400.00
4.0 – Design of ADA Compliant Curb Ramps	\$Not in this contract
5.0 – Proposed Easement Documents (10)	\$8,900.00
6.0 – Acquisition	\$Not in this contract
TOTAL	\$15,260.00

Local Cost Splits (from above):

	<u>Brook Park</u>	<u>Middleburg Heights</u>	<u>Total</u>
1.0	\$1,980.00	\$1,980.00	\$3,960.00
2.0	-	-	-
3.0	\$1,200.00	\$1,200.00	\$2,400.00
4.0	-	-	-
5.0	\$4,450.00*	\$4,450.00*	\$8,900.00**
6.0	-	-	-
	<hr/>	<hr/>	<hr/>
	\$7,630.00	\$7,630.00	\$15,260.00

* - estimate based on 5 Legal Descriptions/Exhibits

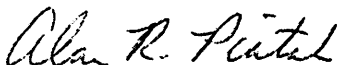
** - estimate based on 10 Legal Descriptions/Exhibits

Written authorization to proceed with any additional services will be obtained prior to commencing with any work that is not included in the Items as described herein. The fees shown in the Proposal will be held for work in progress through the end of December 2023.

If additional work or work of significantly increased complexity, clearly not contemplated in the original scope of services, is required, or if Euthenics, Inc. is required to abandon or perform or re-perform approved work, supplemental or modification agreements shall be negotiated providing for the cost and suitable profit for such work. If this Agreement is terminated during performance of the work, Euthenics, Inc. shall be paid for services rendered to the date of termination.

We appreciate the opportunity to provide this proposal and look forward to working with you on this project. Please call if you have any questions or need additional information.

Very Truly Yours,
EUTHENICS, INC.



Alan R. Piatak, P.E.
President