

CITY OF OBERLIN, OHIO

ORDINANCE No. 12-03 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH OBERLIN MAIN STREET-CHAMBER FOR ADMINISTRATIVE SERVICES RELATING TO THE CITY OF OBERLIN DOWNTOWN REVITALIZATION GRANT PROGRAM, AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the City Manager is hereby authorized and directed to enter into an agreement with Oberlin Main Street-Chamber for administrative services relating to the City of Oberlin FY 2011 CDBG Downtown Revitalization Grant Program, a copy of the agreement being attached hereto as Exhibit A and incorporated herein by reference, and being in the amount of \$45,000.00.

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 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. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit:

“to allow Oberlin Main Street-Chamber to assist the City of Oberlin with the administration of this grant in a timely manner,”

and shall take effect immediately upon passage.

PASSED: 1st Reading – February 6, 2012 (S, E, F)
2nd Reading –
3rd Reading –

ATTEST:



BELINDA B. ANDERSON, CMC
CLERK OF COUNCIL



RONNIE J. RIMBERT
PRESIDENT OF COUNCIL

POSTED: 02/07/2012

EFFECTIVE DATE: 02/06/2012

AGREEMENT

This Agreement is made and concluded at Oberlin, Ohio, on this 27th day of February, 2012, by and between the City of Oberlin, a municipal corporation, hereinafter referred to as "City", and Oberlin Main Street-Chamber, 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 Forty-Five Thousand Dollars (\$45,000.00) of the FY 2011 Ohio Small Cities Community Development Block Grant (CDBG) Comprehensive Downtown Revitalization Program funds (hereinafter referred to as "the grant") 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 premises 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 February, 2012 through February, 2014, 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:

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

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

SECTION 2. The City, in consideration of said services so provided, will pay Oberlin Main Street-Chamber the sum of not more than Forty-Five Thousand Dollars

(\$45,000.00), on a reimbursement basis, for the time period of February, 2012 through February, 2014 as set forth above, per a disbursement schedule determined by the City Finance Director 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

T. N. N.
Eric Norenberg

By: Eric Norenberg
Eric Norenberg, City Manager

OBERLIN MAIN STREET - CHAMBER

T. N. N.
Yvonne Flynn

By: Yvonne Flynn
Its: DIRECTOR, OBERLIN MAIN ST. CHAMBER

APPROVED AS TO FORM:

Eric R. Severs
Eric R. Severs, Law Director