

CITY OF OBERLIN, OHIO

ORDINANCE No. 16-12 AC CMS

AN ORDINANCE AUTHORIZING AN AGREEMENT BETWEEN THE CITY OF OBERLIN AND DUNROBIN ASSOCIATES, LLC FOR RIGHT-OF-WAY ACQUISITION SERVICES FOR THE CITY OF OBERLIN SAFE ROUTES TO SCHOOL PROGRAM, OHIO DEPARTMENT OF TRANSPORTATION PID 90937 AND DECLARING AN EMERGENCY

WHEREAS, by Ordinance 10-74 AC CMS, enacted on October 18, 2010, Oberlin City Council authorized the City Administration to apply to the Ohio Department of Transportation for Safe Routes to School funding and, if approved, to enter into a contract with the Ohio Department of Transportation to complete the project; and

WHEREAS, by letter dated March 11, 2011, the Ohio Department of Transportation announced the City's Safe Routes to School project award in the amount of \$445,581; and

WHEREAS, the Ohio Department of Transportation subsequently contracted with the M-E/IBI Group to prepare engineering plans and specifications for the project; and

WHEREAS, the M-E/IBI Group has completed the required plans and specifications and, in so doing, has determined that it is necessary to acquire permanent right-of-way and temporary right-of-way in order to construct the project; and

WHEREAS, the City of Oberlin Public Works Department has completed an ODOT-approved qualification-based selection process to identify Dunrobin Associates, LLC as the preferred consultant to provide said Right-of-Way Acquisition services in accordance with the requirements of the Uniform Relocation Act; and

WHEREAS, the Ohio Department of Transportation has prepared Agreement No. 19682 between Dunrobin Associates, LLC and the City of Oberlin, a copy being attached hereto and incorporated herein by reference.

NOW, THEREFORE, 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 Public Works Director is hereby authorized and directed to execute said Agreement 19682 between Dunrobin Associates, LLC and the City of Oberlin for Right-of-Way Acquisition services.

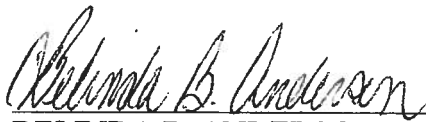
SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were 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,

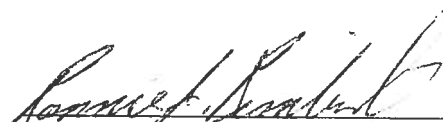
Ohio, or to provide for the usual daily operation of a municipal department, to wit: to authorize said Agreement to provide for the timely acquisition of the necessary rights-of-way required for the Safe Routes to School project which will expedite the public safety by providing safe, active transportation options for school children and all pedestrians”, and shall take effect immediately upon passage.

PASSED: 1st Reading: June 6, 2016 (A)(E)
2nd Reading: _____
3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



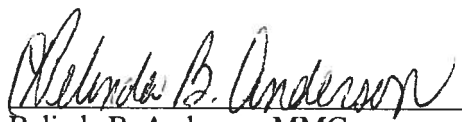
RONNIE RIMBERT
PRESIDENT OF COUNCIL

POSTED: 06/07/2016

EFFECTIVE DATE: 06/06/2016

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 16-12 AC CMS as passed by the Oberlin City Council on the 6th day of June 2016.

SEAL



Belinda B. Anderson, MMC
Clerk of Council, City of Oberlin, Ohio

ORIGINAL

CITY OF OBERLIN, OHIO

AGREEMENT NO. 19682

This Agreement No. 19682 entered into this 8th day of JUNE, 2016, by and between the City of Oberlin, acting by and through the Public Works Director, hereinafter referred to as the City, and Dunrobin Associates, LLC, hereinafter referred to as the Consultant, with an office located at 10132 Kenwood Road, Cincinnati, Ohio 45242.

WITNESSETH:

That the City and the Consultant, for the mutual considerations herein contained and specified, have agreed and do hereby agree as follows:

CLAUSE I - WORK DESCRIPTION

The Consultant agrees to perform all professional services as may be authorized by the City for Right of Way Acquisition Services in Lorain County, Ohio, identified as D03 SRTS Oberlin Inf., PID 90937.

CLAUSE II - INVOICE & PROGRESS SCHEDULE

The City and the Consultant agree to the attached Invoice and Progress Schedule including the overall Agreement length, and Scheduled Submittal dates and Review Times set out in the Progress Schedule.

The Consultant agrees to submit the completed Invoice and Progress Schedule transmittal letter together with the updated Invoice and Progress Schedule for all billing purposes for all Parts of this Agreement every thirty (30) days as follows:

- (a) Signed original transmittal letter and invoice (IPS) and three (3) copies of same.
- (b) Two (2) copies of the updated Progress Schedule.

CLAUSE III - PRIME COMPENSATION

The City agrees to compensate the Consultant for the performance of the authorized portions of the Work specified in this Agreement.

Part 1: Right of Way Acquisition Services and Project Management.

Unit of Work Compensation per parcel as established on Attachment A.

The total maximum prime compensation shall not exceed Sixty Eight Thousand Forty Eight Dollars (\$68,048.00).

CLAUSE IV - INCORPORATION BY REFERENCE

The following documents, or specified portions thereof, are hereby incorporated into and made a part of this Agreement as though expressly rewritten herein:

- (a) The Department of Transportation's "Specifications for Consulting Services, 2010 Edition".
- (b) The most current Scope Definitions for Right of Way Services as published on the ODOT Website (<http://www.dot.state.oh.us/Divisions/Engineering/RealEstate/Pages/ConsultantForms.aspx>).
- (c) The Invoice & Progress Schedule.
- (d) The most current Office of Budget and Management Travel Policy as published on the State of Ohio Website (<http://obm.ohio.gov/MiscPages/TravelRule>).


CLAUSE V - GENERAL PROVISIONS

Any person executing this Agreement in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this Agreement on such principal's behalf.

Additionally, it is expressly understood by the parties that none of the rights, duties and obligations described in this Agreement shall be binding on either party until such time as the expenditure of funds is certified by the Director of Budget and Management, pursuant to Section 126.07 of the Ohio Revised Code.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written by affixing the signature of the duly authorized officer of Consultant and the signature of the Public Works Director.


Dunrobin Associates, LLC

By: 
Title: Operations Manager

City of Oberlin


Jeff Baumann
Public Works Director

APPROVED AS TO FORM:

By: 
Title: LAH DIRECTOR

Attachment

RW ACQUISITION SERVICES COST PROPOSAL

Company Name: Dunrobin Associates, LLC

District: 3

Date: November 3, 2015

PID NO.: 90937

Task No.:

Project CRS: LOR D03-SRTS - City of Oberlin

| Pay Item | Type of Unit | No. of Units | Fee Per Unit | Total Amount |
|--|--------------|--------------|--------------|--------------------|
| 1. Project Management for Title Researches, Appraisal, Appraisal Review | parcel | 19 | \$250.00 | \$4,750.00 |
| SECTION SUBTOTAL | | | | \$4,750.00 |
| 2. Appraisal | | | | |
| a. RE 95 Preparation | parcel | | | \$0.00 |
| b. Summary R/W Appraisal (RE 25-17) | parcel | | | \$0.00 |
| c. Limited Scope Summary Appraisal (RE 25-17) | parcel | | | \$0.00 |
| d. Value Finding (RE 90) | parcel | | | \$0.00 |
| e. Value Analysis | parcel | 19 | \$575.00 | \$10,925.00 |
| f. Project Data Book | parcel | | | \$0.00 |
| SECTION SUBTOTAL | | | | \$10,925.00 |
| 3. Appraisal Review | | | | |
| a. Summary R/W Appraisal (RE 25-16) | parcel | | | \$0.00 |
| b. Limited Scope Summary Appraisal (RE 25-16) | parcel | | | \$0.00 |
| c. Value Finding (RE 25-14) | parcel | | | \$0.00 |
| d. Value Analysis (RE 25-13) | parcel | | | \$0.00 |
| e. USPAP Review (RE 25-12) | parcel | | | \$0.00 |
| f. Parcel Impact Note | parcel | | | \$0.00 |
| g. Appraisal Problem Analysis | parcel | | | \$0.00 |
| SECTION SUBTOTAL | | | | \$0.00 |
| 4. Title Researches | | | | |
| a. Abbreviated Titles | parcel | 19 | \$450.00 | \$8,550.00 |
| b. Full Title (42 year) | parcel | | | \$0.00 |
| c. Title Update | parcel | 5 | \$150.00 | \$750.00 |
| SECTION SUBTOTAL | | | | \$9,300.00 |

SECTION TOTAL**\$24,975.00**

Table split for Federal Authorization for Right of Way Acquisition

| Pay Item | Type of Unit | No. of Units | Fee Per Unit | Total Amount |
|--|---------------|--------------|--------------|--------------------|
| 5. Project Management for Negotiations, Closings | parcel | 19 | \$250.00 | \$4,750.00 |
| SECTION SUBTOTAL | | | | \$4,750.00 |
| 6. Negotiation | | | | |
| a. Negotiation (includes letters, packets, negotiations, billings, document preparation, plan revision coordination, etc.) | parcel | 19 | \$1,500.00 | \$28,500.00 |
| b. Bill of Sale Negotiation | Per BS Parcel | 0 | | \$0.00 |
| c. Negotiation Trainee | parcel | 0 | | \$0.00 |
| SECTION SUBTOTAL | | | | \$28,500.00 |
| 7 Closings | | | | |
| a. Mail Out | parcel | | | \$0.00 |
| b. Formal (includes forms RE 30, 31, 44, 45 & 57 and etc.) | parcel | 19 | \$425.00 | \$8,075.00 |
| c. Formal - structure parcels | parcel | | | \$0.00 |
| d. Title Update for Appropriation | parcel | | | \$0.00 |
| e. Mortgage Release | per release | | | \$0.00 |
| SECTION SUBTOTAL | | | | \$8,075.00 |
| 8. Relocation Assistance Services | | | | |
| a. Project Management for Relocation/Relocation Review | parcel | | | \$0.00 |
| b. Residential offer made | parcel | | | \$0.00 |
| c. Residential final billing | parcel | | | \$0.00 |
| d. Commercial Offer made | parcel | | | \$0.00 |
| e. Commercial final billing | parcel | | | \$0.00 |
| f. Personal Property final billing | parcel | | | \$0.00 |
| g. Pre-Acquisition Survey/Interview | parcel | | | \$0.00 |
| h. Pre-Acquisition Report | parcel | | | \$0.00 |
| SECTION SUBTOTAL | | | | \$0.00 |
| 9. Relocation Review | | | | |
| a. Residential Review | parcel | | | \$0.00 |
| b. Commercial Review | parcel | | | \$0.00 |

| | | | | |
|-----------------------------|--------|--|--|---------------|
| c. Personal Property Review | parcel | | | \$0.00 |
| SECTION SUBTOTAL | | | | \$0.00 |

| Pay Item | Type of Unit | No. of Units | Fee Per Unit | Total Amount |
|---|--------------|--------------|---|--------------------|
| 10. Asbestos | | | | |
| a. Collection | parcel | | | \$0.00 |
| b. Testing | parcel | | | \$0.00 |
| SECTION SUBTOTAL | | | | \$0.00 |
| 11. Miscellaneous | | | | |
| a. Red Books | parcel | | | \$0.00 |
| b. Meetings and Testimony for appropriations | parcel | | | \$0.00 |
| c. Property Management | parcel | | | \$0.00 |
| d. Specialty Appraisal Studies (Parking, Rent, Architectural etc.) | parcel | | | \$0.00 |
| e. Copies and Recording fees (reimbursable based on actual cost for Titles and Closings - receipts necessary) | parcel | 19 | recording fees = \$988 copy cost = \$760 | \$1,748.00 |
| f. R/W Cost Estimate (RE-101) | parcel | | | \$0.00 |
| SECTION SUBTOTAL | | | | \$1,748.00 |
| SECTION TOTAL | | | | \$43,073.00 |
| GRAND TOTAL | | | | \$68,048.00 |