

CITY OF OBERLIN, OHIO

ORDINANCE No. 19-13 AC CMS

AN ORDINANCE AMENDING ORDINANCE 18-61 AC CMS TO AUTHORIZE AN INCREASE IN THE CONTRACT AMOUNT WITH QUALITY CONTROL INSPECTION, INC. (QCI) OF BEDFORD, OHIO, TO PROVIDE FOR ADDITIONAL PROFESSIONAL CONSTRUCTION MANAGEMENT AND CONSTRUCTION INSPECTION SERVICES FOR THE LOR-OBERLIN BIKE PATH TRAILHEAD PROJECT IN THE CITY OF OBERLIN 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 contract with Quality Control Inspection, Inc. (QCI), of Bedford, Ohio, for professional construction inspection services for the City of Oberlin, Ohio, as previously approved by Ordinance No. 18-61 AC CMS, is hereby amended to authorize payment up to an additional not-to-exceed amount of \$50,686.72 for additional services, in accordance with Section 2 set forth hereinafter.

SECTION 2. That the project for which said services shall be utilized, and the maximum fee to be charged is as follows:

Project	Proposed Inspection Allocation
LOR-Oberlin Bike Path Trailhead	\$126,572.22

SECTION 3. 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 4. 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 additional inspection and testing services as soon as possible in order to ensure timely payment for services rendered and services pending", and shall take effect immediately upon passage.

PASSED: 1st Reading: March 18, 2019 (E)

2nd Reading: _____

3rd Reading: _____

ATTEST:


BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL


BRYAN BURGESS
PRESIDENT OF COUNCIL

POSTED: 03/19/2019

EFFECTIVE DATE: 03/18/2019

Quality Control Inspection, Inc.

40 Tarbell Avenue, Bedford, Ohio 44146

Telephone 440-359-1900 Fax 440-359-1935

MAR 19 2019 AM 11:14

Engineering support services. Quality on the job.



February 19, 2019

Mr. Jeff Baumann, Public Works Director
City of Oberlin
85 South Main Street
Oberlin, OH 44074

Re: Contract Modification Proposal for Construction Management and
Construction Inspection Services for the LOR-Oberlin Bike Path
Trailhead, PID 103853 Project

Dear Mr. Baumann:

Quality Control Inspection, Inc. (QCI) is pleased to submit our Contract Modification Proposal to continue to provide Construction Management and Construction Inspection Services for the LPA Contract Administration of the LOR-Oberlin Bike Path Trailhead, PID 103853. This extension of these services is required due to time extensions granted to the contractor by the City and ODOT to complete the project. The services and associated costs proposed are in strict adherence to the Ohio Department of Transportation (ODOT), Locally Administered Transportation Projects, LPA Manual, CMS and Construction Administration and Inspection Manual of Procedures.

General Information:

In preparing our Contract Modification Proposal, QCI relied upon information provided by the City of Oberlin related to this improvement, including the following documentation:

- 1) The Project Manual Bid Set titled LOR-Oberlin Bike Path Trailhead, PID 103853 prepared by Moody-Nolan, Inc. of 4415 Euclid Avenue, Suite 100, Cleveland, Ohio 44103 totaling 621 pages.
- 2) Plan set for the LOR-Oberlin Bike Path Trailhead, PID 103853 marked as Stage 3 Submittal, dated 01-15-2018 designed by Moody-Nolan, Inc. of 4415 Euclid Avenue, Suite 100, Cleveland, Ohio 44103 and stamped by David L. Myers, PE-70398 on 01-12-2018.
- 3) The Letter of Interest Request for the LOR-Oberlin Bike Path Trailhead, PID 103853 project dated 07-02-2018.
- 4) QCI's response to the Request for the Letter of Interest for the LOR-Oberlin Bike Path Trailhead, PID 103853 supplied to the City of Oberlin on 07-16-2018.
- 5) Time extension granted to the contractor extending the Substantial Completion date from January 29, 2019 to March 31, 2019 and Final Completion date from February 28, 2019 to May 25, 2019.
- 6) QCI's scope of services and duties are as defined in the City of Oberlin's Construction Administration, Inspection, and Materials Management Scope of Services document that was part of the Letter of Interest (LOI). (Exhibit A) and QCI's LOI from 07-16-2018 (Exhibit B).

QCI's proposal assumes construction dates as indicated above and are as follows: Anticipated additional project duration of 62 calendar days to Substantial Completion on March 31, 2019 plus



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54 days to achieve Final Completion. QCI assumes a one month post construction period needed to complete closeout documentation.

Scope of Services:

This project includes the construction of a 2,175 square foot pavilion adjacent to the North Coast Inland Trail. The building includes fully accessible restrooms and facilities for cyclists.

This is an LPA project, partially funded by the Federal Highway Administration, and administered locally by the City of Oberlin and ODOT District 3.

Quality Control Inspection, Inc. will continue to perform construction engineering services in conformance with ODOT requirements. These construction engineering services will continue to include assisting the City of Oberlin's LPA Person in Responsible charge in fulfilling its LPA Construction Contract Administration responsibilities.

Fee: The additional fee as proposed has been prepared in a format previously accepted by ODOT for Federal-Aid Local-Let Projects. Please find QCI's not-to-exceed estimate of probable cost for all work and services based on the above in the attached Cost Estimate (Exhibit C).

Materials Testing: Materials testing has been performed under QCI's base contract and is no longer required.

In addition to our support of the required LPA engineering standard of care as described in the LPA Manual of Procedures, at stages appropriate to the work, we will perform verification monitoring by way of conducting an internal examination(s) of our project files and the files of the LPA. Through these actions, we will deploy our best efforts in attempting to verify that the LPA and QCI have complied with all procedural record retention requirements.

QCI's request for a modification to our contract fee is based on the aforementioned information as contained within this proposal. Substantial changes in scope, tasks, duration, unknown conditions, delays, or extension outside of our control may require an adjustment to our fee. In addition, the City of Oberlin's Department of Public Works shall provide QCI, at no cost, copies of all project documents, as may be necessary in order for QCI to carry out and perform the active contract administration and inspection services associated with this project.



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Rates:

- A. Construction Project Engineer (CPE) - \$107.00 per hour, per person.
- B. Project Inspector - Regular rate \$90.00 per hour, per person. Overtime rate of \$135.00 per hour worked. OWNER shall contact QCI one (1) hour prior to the start of any scheduled work to terminate any scheduled daily inspections. QCI shall forgo compensation for properly terminating scheduled daily inspection services. QCI shall be compensated for TWO (2) hours per person, for all scheduled inspection terminated before a two (2) hour working period, compensated for FOUR (4) hours per person for all scheduled inspection which exceeds two (2) hours but has not exceeded a four (4) hour working period, and compensated for EIGHT (8) hours per person for all scheduled inspection exceeding four (4) hours and not exceeding an eight (8) hour working period.
- C. Certified Payroll Reviews / Prevailing Wage Interviews - Regularly \$72.00 per hour, per person.

Should the above Contract Modification Proposal be acceptable to the City of Oberlin, please sign both original documents provided and return one (1) to QCI for our files.

We look forward to the opportunity to support the needs of the City of Oberlin and your department.

Sincerely,

Rick Capone
President

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IN WITNESS WHEREOF, the parties have caused this fee Proposal be executed on this ____ day
of _____, 2019.

WITNESSES:

G. Capone
Gabrielle Capone
[print witness name]

QUALITY CONTROL INSPECTION, INC.

By: [Signature]
Print Name: Rick E. Capone
Title: President

CITY OF OBERLIN

[Signature]
JEFF BAUMANN
[print witness name]

By: [Signature]
Print Name: ~~Jeff Bauman~~ ROB HILLARD
Title: ~~Public Works Director~~ CITY MANAGER

City of Oberlin, Ohio										
LOR-BIKE PATH TRAILHEAD, PID No. 103853 (FULL TIME INSPECTION NO OVERTIME)										
Phase by Week	Months	Description	Category	WK	HR	Total Hrs	Rate	Sub-Total	Total	Notes
9	2	Construction Phase - Contract Time Extension January 28, 2019 to March 31, 2019 (62 cal days) to Substantial Completion	Construction Project Engineer (CPE)	9	10	90	107.00	9,630.00		
			Project Inspector	9	40	360	90.00	32,400.00		
			Project Inspector OT	9	0	0	135.00	0.00		
			Certified Payroll / Prevailing Wage	2	1	2	72.00	144.00	42,174.00	
8	2	Substantial Completion to Final Completion Construction Phase	Construction Project Engineer (CPE)	4	8	32	107.00	3,424.00		
		Contract Time Extension	Project Inspector	2	40	80	90.00	7,200.00		
		April 1, 2019 to May 25, 2019 (54 cal days)	Certified Payroll / Prevailing Wage	2	1	2	72.00	144.00	10,768.00	
4	1	Post Construction Phase	Construction Project Engineer (CPE)	4	8	32	107.00	3,424.00		
		May 26, 2019 to June 21, 2019 (26 cal days)								
21	5	= Sub-Total =							56,366.00	
		Reimbursable								
		Sub-consultant (verification testing)							0.00	
		= Total =							56,366.00	
		Balance Remaining as of January 27, 2019							5,679.28	
		Contract Modification Requested							50,686.72	