# CITY OF OBERLIN, OHIO

## ORDINANCE No. 22-27 AC CMS

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE ENGINEERING SERVICES AGREEMENT WITH K.E. MCCARTNEY, INC. OF MANSFIELD, OHIO TO PROVIDE ADDITIONAL ENGINEERING SERVICES RELATED TO THE PREPARATION OF THE CITY OF OBERLIN STORMWATER MASTER PLAN AS AN EMERGENCY MEASURE

WHEREAS, by Ordinance 20-36 AC CMS Oberlin City Council authorized an Engineering Services Agreement with K.E. McCartney, Inc. of Mansfield, Ohio for the preparation of a Stormwater Master Plan for the City of Oberlin in the amount of $155,590.00; and

WHEREAS, during the course of the work, the Public Works Department has recognized that additional work is necessary to better understand and to properly communicate the likely extent of flooding in the City of Oberlin during various storm events.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio:

SECTION 1. That the City Manager is hereby authorized and directed to execute the proposed Amendment to the Engineering Services Agreement between the City of Oberlin and K.E. McCartney, Inc., attached hereto as Exhibit 1, for additional engineering work necessary to complete the City of Oberlin Stormwater Master Plan and to authorize additional payment for said additional engineering work in an amount not to exceed $38,560.00.

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 proceed with stormwater capital planning to improve drainage and to mitigate flooding as soon as possible, and provided that it is elevated to emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect at the earliest period allowed by law.

PASSED:      1st Reading: May 16, 2022

              2nd Reading: _____

              3rd Reading: _____

ATTEST:

BELINDA B. ANDERSON, MMC          BRYAN BURGESS
CLERK OF COUNCIL                 PRESIDENT OF COUNCIL

POSTED: 05/17/2022               EFFECTIVE DATE: 05/16/2022

## AMENDMENT TO CLIENT-ENGINEER AGREEMENT

**Amendment No. _____1_____**

1. Background Data:

   a.  Effective Date of CLIENT-ENGINEER Agreement:     September 9, 2020

   b.  CLIENT:     City of Oberlin, Ohio

   c.  ENGINEER:     K.E. McCartney & Associates, Inc. (KEM)

   d.  Project:     City of Oberlin Stormwater Master Plan

   e.  This Part of the Project:     2d Model Development & Presentation

2. Nature of Amendment:

   _X_  Additional services to be performed by ENGINEER

   _X_  Modifications to payment to ENGINEER

3. Description of Modifications

### 2d Model Development – $35,000.00

The 2D model uses a digital elevation model (DEM) in conjunction with the storm infrastructure model to show overland flooding, a sample map is attached for reference. Considering this is a City-wide model, an integrated 1D-2D model will be developed to optimize computational requirements and model run times. This allows retaining the dual-drainage system in the 1D model where flooding is not critical and limiting 2D computations only for chronic flooding areas to get more information on flood extents and depths in those areas.

1. 2d Model Development – KEM will prepare a 2d model using the following information:
   a. Existing 1D dual drainage model already created by KEM
   b. The DEM that is available from the State of Ohio
   c. Building footprints that are available from the Lorain County Auditor's office.
   d. Road boundaries which will be built using existing centerline information from the Lorain County Auditor's office.
2. Model Storm Events - Following creation of the 2d Model, KEM will run the model using various storm events including the 1-Yr, 10-Yr, 25-Yr and 100-Yr events.
3. CHI review – KEM will provide the 2D Model to CHI for review and comment for quality control and will incorporate comments from CHI into the 2D model.
4. 2d Model Mapping – KEM will use the results from the various storm events to prepare maps of the City of Oberlin showing potential flood impacts.
   a. Maps will be provided to the City of Oberlin for review and comment.
   b. KEM will update maps based on comments from the City.
   c. Final maps will be provided to the City in PDF format.

5. Deliverables
    a. 1-, 10-, 25-, and 100-year storm event inundation maps in PDF format
    b. Ability to view "real-time video" of developing and receding flood events.
    c. Ability to request additional modeling as needed.

**Revised Presentations - $3,560.00**
    1. Original scope is revised to include one additional PUC meeting and one additional Council Meeting. The two public meetings in the original scope will only be used if requested by the Client.

4. Agreement Summary

    a.   Original agreement amount:           $  155,590.00
    b.   Net change for prior amendments:      $          0.00
    c.   This amendment amount:                $    38,560.00
    d.   Adjusted Agreement amount:            $  194,150.00

CLIENT and ENGINEER hereby agree to modify the above-referenced Agreement as set forth in this Amendment. All provisions of the Agreement not modified by this or previous Amendments remain in effect. The Effective Date of this Amendment is <u>May 18, 2022</u>.

CLIENT:                                         ENGINEER:

_City of Oberlin_                               _[signature]_

By: _[signature]_                               By:     Brian P. McCartney

Title:     City Manager                         Title:     President

Date Signed:     6-7-2022                       Date Signed:     5/18/22

Approved as to form: _[signature]_     6/6/22
                     Jon D. Clark        Date
                     Law Director