

CITY OF OBERLIN, OHIO

ORDINANCE No. 25-21 AC CMS

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH SHAFFER, JOHNSTON, LICHTENWALTER & ASSOCIATES, INC. OF MANSFIELD, OHIO, TO PROVIDE FOR ADDITIONAL PROFESSIONAL ENGINEERING SERVICES FOR THE REPLACEMENT OF THE SOUTH PLEASANT STREET BRIDGE TO GO INTO IMMEDIATE EFFECT

WHEREAS, by Ordinance 22-21 AC CMS, this Council authorized a Professional Engineering Services Agreement with Shaffer, Johnston, Lichtenwalter & Associates, Inc. of Mansfield, Ohio for the replacement of the South Pleasant Street bridge in the not-to-exceed amount of \$165,600; and

WHEREAS, during the environmental review, it was determined that the City had accepted Federal Land and Water Conservation Fund money in 1973 for the construction of basketball courts and related amenities in the adjacent Park Street Park; and

WHEREAS, acceptance of said federal funding was and remains subject to the requirements of Section 4(f) of the Department of Transportation Act of 1966, which affords protection to publicly owned parks, recreation areas, and wildlife and waterfowl refuges, and which required the City to dedicate said parkland in perpetuity; and

WHEREAS, the replacement of the South Pleasant Street Bridge will impact approximately 0.105-acre of previously dedicated parkland for the necessary relocation of a sanitary sewer main, construction of bridge wing walls, and placement of rock channel protection; and

WHEREAS, the National Park Service, the Ohio Department of Natural Resources, and the Ohio Department of Transportation have accepted the City's proposal for the substitution of a 0.3125-acre parcel of vacant land, formerly known as 66 South Park Street, in exchange for the 0.105- acre necessary for the replacement of the South Pleasant Street Bridge; and

WHEREAS, said 0.3125-acre parcel of vacant land, identified as Lorain County Auditor's permanent parcel number 09-00-086-106-030, has been converted to public park use and shall be subject to the requirements of Section 4(f) of the Department of Transportation (DOT) Act of 1966; and

WHEREAS, Shaffer, Johnston, Lichtenwalter, and Associates, Inc. has assisted staff and ODOT in implementing this conversion, which has delayed the project by nearly two years, during which time Shaffer, Johnston, Lichtenwalter, and Associates, Inc. has incurred additional unforeseen costs.

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 an Amendment to the Engineering Services Agreement between the City of Oberlin and Shaffer, Johnston, Lichtenwalter & Associates, Inc. of Mansfield, Ohio dated May 2, 2022 and attached hereto and incorporated herein by reference, for additional professional engineering services necessary for the replacement of the South Pleasant Street Bridge in the City of Oberlin in an additional amount not-to-exceed \$6,220.00.

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. To authorize additional compensation for necessary design services for the replacement of the South Pleasant Street Bridge, and provided that at least five (5) members of Council so determine by motion, this Ordinance shall go into full force and effect immediately after its passage; otherwise, it shall take effect at the earliest date allowed by law.

PASSED: 1st Reading: April 21, 2025

2nd Reading: _____

3rd Reading: _____

ATTEST:



BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL



EBONI A. JOHNSON
PRESIDENT OF COUNCIL

POSTED: 04/22/2025

EFFECTIVE DATE: 04/21/2025