

ORDINANCE NO. 21-144

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A SECOND AMENDMENT TO THE AGREEMENT FOR PROFESSIONAL DESIGN SERVICES WITH THE MANNIK & SMITH GROUP, INC., OF MAUMEE, OHIO, FOR THE MEIGS STREET RECONSTRUCTION & MULTI-USE PATH PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, Meigs Street is a highly used collector roadway in poor condition and the Meigs Street Reconstruction & Multi-Use Path Project will provide for improvements between Water Street and Sycamore Line, including roadway reconstruction and associated drainage north of Washington Street, pavement mill and overlay from Washington Street to Sycamore Line, pavement marking and signing, a multi-use path, sidewalk and curb ramp repairs or replacement as needed, drive repairs, tree removals and replanting, along with landscaping, hardscaping, and benches at two (2) bus stops; and

WHEREAS, the City Commission approved an agreement for Professional Design Services with The Mannik & Smith Group, Inc., of Maumee, Ohio, for the Meigs Street Reconstruction & Multi-Use Path Project by Ordinance No. 19-114, passed on June 24, 2019; and

WHEREAS, the City Commission amended Ordinance No. 19-114, passed on June 24, 2019, approving an revised agreement with Mannik & Smith Group, Inc., of Maumee, Ohio, for the Meigs Street Reconstruction & Multi-Use Path Project by Ordinance No. 19-149, passed on August 26, 2019, in the amount of \$233,195.00; and

WHEREAS, during the design to reconstruct Meigs Street, it was realized through recent flow testing and data, that a portion of Meigs Street is deficient in water pressure and flow capabilities and the project would require additional professional design services to include a 20" waterline extension from Washington Street to Water Street; and

WHEREAS, the City Commission approved a First Amendment to the agreement for Professional Design Services with The Mannik & Smith Group, Inc., of Maumee, Ohio, for the Meigs Street Reconstruction & Multi-Use Path Project by Ordinance No. 20-129, passed on August 24, 2020, in the amount of \$19,500.00; and

WHEREAS, this amendment to the agreement is to provide for additional work for the installation of a dedicated sanitary sewer on Meigs Street, north of Washington Street, which will accommodate future development on the Battery Park site and is consistent with the Downtown Sandusky Master Plan; and

WHEREAS, the revised cost of the professional design services including the First Amendment was \$252,695.00 and this Second Amendment will increase the cost by \$15,225.00 for a total cost of \$267,920.00 and the additional cost will be paid with Sewer Funds; and

PAGE 2 - ORDINANCE NO. 21-144

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to continue and complete the design to keep the project on schedule to be bid in early 2022 and meet plan submittal requirements for later this year; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into a Second Amendment to the Professional Design Services Agreement with The Mannik & Smith Group, Inc., of Maumee, Ohio, for the Meigs Street Reconstruction & Multi-Use Path Project (ERI-CR0505-0.00 Meigs Street, PID No. 105033), consistent with the proposal submitted, a copy of which is marked Exhibit "A" and attached to this Ordinance, in an amount **not to exceed** Fifteen Thousand Two Hundred Twenty Five and 00/100 Dollars (\$15,225.00) for a total amount **not to exceed** Two Hundred Sixty Seven Thousand Nine Hundred Twenty and 00/100 Dollars (\$267,920.00).

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

PAGE 3 - ORDINANCE NO. 21-144

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

KELLY L. KRESSER
INTERIM CLERK OF THE CITY COMMISSION

Passed: September 27, 2021