

ORDINANCE 2013-17

AN ORDINANCE TO AMEND ORDINANCE 2013-13 ADOPTING AND APPROVING PROFESSIONAL SERVICE CONTRACTS WITH C.F. BIRD & R.J. BULL, INC. ENGINEERS FOR PROFESSIONAL ENGINEERING SERVICES RELATING TO THE WASTE WATER TREATMENT FACILITY AND INTERCEPTOR COLLECTION SEWER PROJECT AND TO DECLARE AN EMERGENCY

WHEREAS, the Village undertook a qualifications based selection process for the selection of an engineer for the construction of its Waste Water Treatment Facility and Interceptor Collection Sewer Project; and

WHEREAS, the firm of C.F. Bird & R.J. Bull, Inc., has been selected as the professional engineering firm for the Waste Water Treatment Facility and Interceptor Collection Sewer Project;

WHEREAS, Council has reviewed the proposed contracts for professional engineering services and the same appear desirable based on the Village needs for such services.

WHEREAS, additional services were added to the Contract to be performed during construction since the passage of the previous Ordinance 2013-13;

NOW, THEREFORE, be it ordained by the Council of the Village of Centerburg, Ohio:

Section 1: That two of the attachments to Ordinance 2013-13 are amended as set forth in the attached Exhibits 1 and 2 and as denoted below (*see *bold italics text*):

Section 1: That the Mayor and/or Village Administrator are authorized to enter into and execute the professional engineering service contracts with C.F. Bird & R.J. Bull, Inc. Engineers for the Waste Water Treatment Facility and Interceptor Collection Sewer Project attached hereto and consisting of the following:

- Contract (Eighteen Pages)
- Exhibit A, Schedule of Engineer Services (Eleven Pages)*
**Page 11 of 11 of Exhibit A to Ordinance 2013-13 is replaced by Exhibit 1 attached hereto.*
- Exhibit B, Schedule of Village Responsibilities (Three Pages)
- Exhibit C, Payments to Engineer for Services and Reimbursable Expenses (Five Pages w/ Appendix 1 and 2)
- Exhibit G, Insurance (Two Pages)
- Exhibit H, Dispute Resolution (One Page)
- Exhibit I, Allocation of Risks (One Page)
- Task Order No. 1 (Three Pages) at an estimated cost of \$391,500.00 plus an amount of \$25,000 for additional services.*
**Page 2 of 3 of Task Order No. 1 to Ordinance 2013-13 is replaced by Exhibit 2 attached hereto.*

A condition precedent to the contract taking effect shall be the receipt of funding from the Ohio EPA division of environmental and financial assistance.

Section 2: All other provision and Exhibits to Ordinance 2013-13 shall remain the same.

Section 3: That Council declares this Ordinance to be an emergency measure, immediately necessary for the preservation of the public health, safety and welfare, such emergency arising out of the need to contract for necessary services to support the Waste Water Treatment Facility and Interceptor Collection Sewer Project.

WHEREFORE, this Ordinance is declared to be an emergency and shall take effect and be in full force immediately from and after its passage and approval by the Mayor.

DATE PASSED October 28, 2013

[Signature]
PRESIDENT OF COUNCIL

ATTEST [Signature]
CLERK OF COUNCIL

[Signature]
MAYOR

APPROVED AS TO FORM:

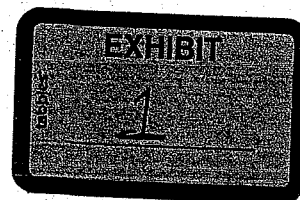
[Signature]
LEGAL COUNSEL

I hereby certify that the Resolution or a summary of the Resolution was published once a week for two consecutive weeks on _____, 2013 and _____, 2013 in the *Mount Vernon News* in conformance with the Ohio Revised Code.

CLERK-TREASURER

Engineer to continue to perform or furnish the services, Owner shall notify Engineer in writing to cease, and Engineer shall comply.

1. Additional or extended services during construction made necessary by (a) emergencies or acts of God endangering the Work, (b) the presence at the site of any Constituent of Concern, (c) Work damaged by fire or other cause during construction, or (d) acceleration of the progress schedule involving services beyond normal working hours.
2. Services associated with the preparation of documents for payment disbursement requests, assistance with compliance of the Davis-Bacon Prevailing Wage Requirements, and other miscellaneous work associated with project coordination as directed by the OWNER.



Initial Modifications:

Engineer

Owner

TASK ORDER
(SUGGESTED FORMAT)

5. **Payments to Engineer**

A. Owner shall pay Engineer for services rendered as follows:

<i>Category of Services</i>	<i>Compensation Method</i>	<i>Lump Sum, or Estimate of Compensation for Services</i>
<i>Basic Services (Construction Administration Services/ Project Inspection, O&M Manual, Start Up Services, Performance Certificate)</i>	<i>Choose One:</i> A. <i>Standard Hourly Rates</i>	\$391,500.00
<i>Additional Services</i>	<i>Choose One:</i> A. <i>Standard Hourly Rates</i>	\$25,000 (Est)

C. The terms of payment are set forth in Article 4 of the Agreement and in Exhibit C.

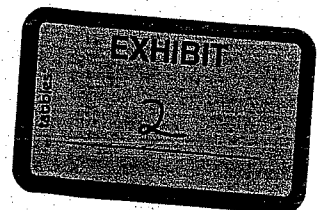
6. **Consultants:**

7. **Other Modifications to Agreement:**

[Supplement or modify Agreement and Exhibits, if appropriate.]

8. **Attachments:**

9. **Documents Incorporated By Reference:**



Initial Modifications:

Engineer

Owner