

# County Council of Cuyahoga County, Ohio

## Resolution No. R2011-0180

<p>Sponsored by: <b>County Executive FitzGerald/Department of Public Works/County Engineer</b></p>	<p><b>A Resolution</b> authorizing the County Executive to prepare and enter into an amendment to Contract No. CE12377-02 with Glaus, Pyle, Schomer, Burns &amp; DeHaven, Inc. dba GPD Associates for consultant engineering services for replacement of Bellaire Road Bridge No. 24 over Big Creek and replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale to change the scope of services, effective 5/10/2011, and for additional funds in the amount not-to-exceed \$243,541.66, and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the Department of Public Works has requested approval to prepare and enter into an amendment to Contract No. CE12377-02 with Glaus, Pyle, Schomer, Burns & DeHaven, Inc. dba GPD Associates for consultant engineering services for the replacement of Bellaire Road Bridge No. 24 over Big Creek and the replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale to change the scope of services, effective 5/10/2011, and for additional funds in the amount not-to-exceed \$243,541.66; and,

WHEREAS, the original contract (CE12377-01) was approved on 4/17/2001, Resolution No. 011302 in the amount of \$329,092.00, and Amendment No. 1 for additional surveying services, subsurface investigations, design services, utility coordination services and right-of-way acquisition services, was approved on 5/8/2008, Resolution No. 081948, for additional funds in the amount of \$235,474.62, and Amendment No. 2 for an Assignment of Interest to Glaus, Pyle, Schomer, Burns & DeHaven, Inc. dba GPD Associates, was approved on 4/24/2008, Resolution No. 081745, for no additional funds; and,

WHEREAS, upon review of the plans and applications submitted to the U.S. Army Corps of Engineers (USACE), ODOT and the Ohio EPA, it was determined that changed Ohio EPA Water Quality Certification criteria rendered the plans noncompliant; and,

WHEREAS, subsequent meetings and coordination between the County, the City of Cleveland, the design consultant, Ohio EPA and ODOT resulted in a significant change in project scope to meet the design criteria of all parties, including Ohio EPA 401 WQC requirements for stream impacts and City of Cleveland requirement to re-establish traffic on Kensington Avenue; and,

WHEREAS, the factors compelling a re-design of the project were unavoidable and constitute a significant change in scope for which the design consultant should receive

compensation in order to deliver this federally-funded bridge improvement project for construction in 2013; and,

WHEREAS, the Department of Public Works requested approval to fund the amendment to Contract No. CE12377-02 with an allocation from the County Motor Vehicle \$5.00 License Tax Fund in the amount of \$243,541.66.

**NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:**

**SECTION 1.** That the County Executive/Department of Public Works is hereby authorized to prepare and enter into an amendment to Contract No. CE12377-02 with Glaus, Pyle, Schomer, Burns & DeHaven, Inc. dba GPD Associates for consultant engineering services for the replacement of Bellaire Road Bridge No. 24 over Big Creek and the replacement of West 130th Street Bridge No. 64 over a branch of Big Creek in the City of Cleveland and Village of Linndale to change the scope of services, effective 5/10/2011, and for additional funds in the amount not-to-exceed \$243,541.66.

**SECTION 2.** That the application for the allocation from the County Motor Vehicle \$5.00 License Tax Funds in the amount of \$243,541.66 is approved.

**SECTION 3.** It is necessary that this Resolution become immediately effective to assure that work can commence and not jeopardize Federal funding secured for this project. Provided that this Resolution receive the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

**SECTION 4.** It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the 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.

On a motion by Mr. Germana, seconded by Mr. Schron, the foregoing Resolution was duly adopted.

Yeas: Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Simon, Greenspan and Connally

Nays: None

Absent: Rogers

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County Council President

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Date

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County Executive

\_\_\_\_\_  
Date

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Clerk of Council

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Date

First Reading/Referred to Committee: May 10, 2011  
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal CC002  
May 24, 2011