

ORDINANCE NO. 18-24

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH O.R. COLAN ASSOCIATES, LLC TO PERFORM RIGHT-OF-
WAY ACQUISITION SERVICES FOR THE STATE ROUTE 254 & STATE ROUTE 83
INTERSECTION IMPROVEMENT PROJECT (LOR 254 – 05.66)
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon applied for and was awarded a Safety Grant by the Ohio Department of Transportation (ODOT) to improve the State Route 254 (Detroit Road) and State Route 83 (Center Road) corridors in and around the Detroit Road and Center Road intersection, said project being known as the State Route 254 & State Route 83 Intersection Improvement Project and also as Ohio Department of Transportation (ODOT) LOR 254 -05.66, designated as PID 111283; and

WHEREAS, information about the proposed project is summarized in the attached public involvement press release document, attached hereto as [Exhibit A](#), which was posted on the City of Avon website for a month in late 2023; and

WHEREAS, the Administration posted a Request For Qualifications (RFQs) for right-of-way acquisition services via the public ODOT professional services portal and received valid responses from four qualified consultant teams; and

WHEREAS, the four RFQs were evaluated and scored by a committee which included the City Engineer, the Safety/Service Director, and a representative of the design engineer (Chagrin Valley Engineering, Ltd.) who determined that O.R. Colan Associates, LLC was the most qualified firm based on a qualification-based selection process; and

WHEREAS, O.R. Colan Associates, LLC thence prepared a cost proposal for the right-of-way acquisition services needed to obtain various types of property rights from twenty-one different parcels, said proposal attached hereto as [Exhibit B](#), which was then reviewed by the City Engineer who found the cost proposal to be responsive to the project scope and reflecting unit task rates in line with similar services performed for other similar ODOT related projects; and

WHEREAS, City Council has reviewed the contract for professional right-of-way acquisition services submitted by O.R. Colan Associates, LLC and finds the agreement to be in the best interests of the health, safety, and welfare of the citizens of Avon in facilitating the acquisition of property rights needed for the construction of the State Route 254 & State Route 83 Intersection Improvement Project together with all appurtenances thereto.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
AVON, LORAIN COUNTY, OHIO:**

Section 1 - That the Mayor is hereby authorized to execute a contract with O.R. Colan Associates, LLC for right-of-way acquisition services related to the State Route 254 & State Route 83 Intersection Improvement Project together with all appurtenances thereto, in substantially the form as set forth in the attached Exhibit B, which when finalized, shall be incorporated herein and made a part of this ordinance.

Ordinance No. 18-24 (Con't.)

Section 2 – Payment in the amount of One Hundred Sixty-Two Thousand Seven Hundred Twenty Dollars and 00/100 Cents (\$162,720.00) shall be made from the SR 83 & SR 254 Intersection Improvements Fund No. 415 to meet the obligations incurred under the terms of this proposal. Further, the Finance Director is authorized to increase this appropriation by a reasonable amount for additional engineering and/or legal services associated with this project.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage 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 actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to meet established ODOT project milestone dates established for the noted project and its associated requirements; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, President of Council

DATE APPROVED BY THE MAYOR _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director