

ORDINANCE NO. 27-25

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
INTO AN AGREEMENT WITH O.R. COLAN ASSOCIATES, LLC AND
WITH BOWMAN APPRAISAL SERVICES, INC. TO PERFORM
RIGHT-OF-WAY ACQUISITION RELATED SERVICES FOR THE
STATE ROUTE 83 SIDEWALK (LOR 83 – 16.76, PID 119934)
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon applied for and was awarded a Systematic Safety Grant by the Ohio Department of Transportation (ODOT) to install sidewalks along State Route 83 (Center Road) between Kinzel Road and Falcon Crest Avenue, said project being known as the State Route 83 Sidewalk Project and also as Ohio Department of Transportation (ODOT) LOR 83-16.76, designated as PID 119934; 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 Safety/Service Director, Asst. Superintendent of Streets, and Utility Superintendent 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-nine (29) different parcels, said proposal attached hereto as [Exhibit A](#), which was then reviewed by the City Administration 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, ODOT requires that a review appraiser also be hired to review the appraisal work performed by the principal appraiser, and following a similar type process, the City Administration selected Bowman Appraisal Services, Inc. Their proposal is attached hereto as [Exhibit B](#); and

WHEREAS, City Council has reviewed the contract for professional right-of-way acquisition services submitted by O.R. Colan Associates, LLC and the proposal for review appraisal services submitted by Bowman Appraisal Services, Inc. and finds both agreements 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 83 Sidewalk 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 principal right-of-way appraisal services and with Bowman Appraisal Services, Inc. for review appraisal services both of which relate to the acquisition of various types of property rights from twenty-nine (29) different parcels along the State Route 83 Sidewalk Project in substantially the form as set forth in Exhibits A & B attached hereto and incorporated herein by their reference. The Finance Director is hereby authorized to make payment to O.R. Colan Associates, LLC in the amount of up to **Two Hundred Thirty Thousand Two Hundred Fifty Dollars and 00/100 Cents (\$230,250.00)** and to Bowman Appraisal Services, Inc. in the amount of **Thirty-Three Thousand Three Hundred Fifty Dollars and 00/100 Cents (\$33,350.00)**. Said amounts shall be made from the State Route 83 Pedestrian Walkway Program Fund No. 473.

Section 2- That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those 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 3 - That this Ordinance is hereby declared to be an emergency measure immediately 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 enter into contracts with a principal appraisal firm and a review appraiser for (ODOT) LOR 83-16.76, designated as PID 119934, a.k.a. the State Route 83 Sidewalk Project to meet established ODOT project milestone dates and 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, Council President

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