

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: April 28, 2025

DATE SIGNED: April 28, 2025

By: Brian Fischer
Brian Fischer, Council President

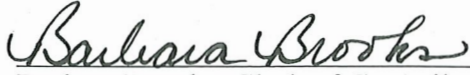
DATE APPROVED BY THE MAYOR April 29, 2025

Bryan K. Jensen
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:



Barbara Brooks, Clerk of Council

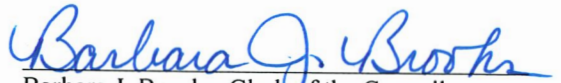
Posted: April 30, 2025

Electronically and at City Hall as
Provided by Council

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

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 27-25, passed by the Council of said City on April 28, 2025.

IN WITNESS WHEREOF, I have on this 29th day of April 2025, affixed my signature and official seal.



Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio



February 28, 2025

Ryan Cummins, PE, CPESC
City of Avon, c/o Chagrin Valley Engineering, Limited
22999 Forbes Road – Suite B
Oakwood, Ohio 44146-5667
cummins@cvelimited.com

**Re: Right-of-Way Acquisition Services – LOR SR 83 – 16.76
Cost Proposal**

Dear Mr. Cummins:

O.R. Colan Associates (ORC) is pleased to provide a price proposal to perform turnkey Right of Way acquisition services for the **LOR SR 83 – 16.76** project. The services, scope and fees proposed are based on ORC following the Ohio Department of Transportation's (ODOT) Policy and Procedures related to property acquisition and fall with ODOT's Fee Guidance (July 2023).

Our price proposal is presented on a "per task/per parcel" basis and we have proposed services that include Project Management, Title Research, Appraisal, Negotiation and Closings. We will utilize the services of CP Braman for appraisal related activities. To assist, I have provided a breakdown within this proposal for all fees and the appraisal formats for each project parcel. ORC will bill the city for what is performed on a unit/task basis. ORC has proposed 42-year title reports for all parcels given the WD impacts. If these parcels are appropriated, ORC's cost to perform a 42-year search and update for appropriation would be the collective cost for full search and update.

ORC greatly appreciates the City of Avon selecting ORC to perform the needed R/W Acquisition on this project. If you have any questions or require further information, please do not hesitate to contact me at (440) 827-6116 ext. 205. I look forward to the opportunity to work together on this project.

Respectfully,

A handwritten signature in black ink, appearing to read "Benjamin Zera".

Benjamin Zera
Project Manager

cc: Project File
Beth Fulton, PE, Chagrin Valley Engineering
Joseph Almady, ORC

RW ACQUISITION SERVICES COST PROPOSAL

Company Name: O.R. Colan Associates

District: 3

Date: February 28, 2025

PID NO.: 119934

Task No.: N/A

Project CRS: LOR SR 83 - 16.76

Pay Item	Type of Unit	No. of Units	Fee Per Unit	Total Amount
1. Project Management - line items found in sections below	parcel			
2. Appraisal				
a. RE 95 Preparation	parcel	2	\$350.00	\$700.00
b. R/W Appraisal Report (RE 25-17)	parcel	10	\$6,500.00	\$65,000.00
c. Value Finding (RE 90)	parcel	1	\$2,100.00	\$2,100.00
d. Value Finding (RE 90)	parcel	4	\$1,875.00	\$7,500.00
e. Value Analysis	parcel	3	\$770.00	\$2,310.00
f. Value Analysis	parcel	11	\$700.00	\$7,700.00
g. Project Management	parcel	29	\$240.00	\$6,960.00
SECTION SUBTOTAL				\$92,270.00
3. Appraisal Review				
a. R/W Appraisal Report(RE 25-16)	parcel			\$0.00
b. Limited Scope R/W Appraisal Report (RE 25-16)	parcel			\$0.00
c. Value Finding (RE 25-14)	parcel			\$0.00
d. Value Analysis (RE 25-13)	parcel			\$0.00
e. USPAP Review (RE 25-12)	parcel			\$0.00
f. Parcel Impact Note	parcel			\$0.00
g. Appraisal Problem Analysis	parcel			\$0.00
h. Project Management	parcel			\$0.00
SECTION SUBTOTAL				\$0.00
4. Title Researches				
a. Abbreviated Titles	parcel			\$0.00
b. Full Title (42 year)	parcel	29	\$825.00	\$23,925.00
c. Title Update	parcel			\$0.00
d. Project Management	parcel	29	\$240.00	\$6,960.00
SECTION SUBTOTAL				\$30,885.00
SECTION TOTAL				\$123,155.00

\$84,610.00

Table split for Federal Authorization for Right of Way Acquisition

Pay Item	Type of Unit	No. of Units	Fee Per Unit	Total Amount
5. Negotiation				
a. Negotiation (includes letters, packets, negotiations, billings, document preparation, plan revision coordination, etc.)	parcel	29	\$2,250.00	\$65,250.00

b. Bill of Sale Negotiation	Per BS Parcel			\$0.00
c. Negotiation Trainee	parcel			\$0.00
d. Project Management	parcel	29	\$240.00	\$6,960.00
SECTION SUBTOTAL				\$72,210.00
6. Closings				
a. Mail Out	parcel			\$0.00
b. Formal (includes forms RE 30, 31, 44, 45 & 57 and etc.)	parcel	29	\$700.00	\$20,300.00
c. Formal - structure parcels	parcel			\$0.00
d. Title Update for Appropriation	parcel		\$300.00	\$0.00
e. Mortgage Release	per release	10	\$400.00	\$4,000.00
f. Project Management	per release	29	\$240.00	\$6,960.00
SECTION SUBTOTAL				\$31,260.00
7. Relocation Assistance Services				
a. Residential offer made	parcel			\$0.00
b. Residential final billing	parcel			\$0.00
c. Commercial Offer made	parcel			\$0.00
d. Commercial final billing	parcel			\$0.00
e. Personal Property final billing	parcel			\$0.00
f. Pre-Acquisition Survey/Interview	parcel			\$0.00
g Pre-Acquisition Report	parcel			\$0.00
Project Management for				
h Relocation/Relocation Review	parcel			\$0.00
SECTION SUBTOTAL				\$0.00
8 Relocation Review				
a. Residential Review	parcel			\$0.00
b. Commercial Review	parcel			\$0.00
c. Personal Property Review	parcel			\$0.00
d. Project Management	parcel			\$0.00
SECTION SUBTOTAL				\$0.00

Pay Item	Type of Unit	No. of Units	Fee Per Unit	Total Amount
9. Asbestos				
a. Collection/Reporting	parcel			\$0.00
b. Testing	parcel			\$0.00
SECTION SUBTOTAL				\$0.00
10. Miscellaneous				
a. Red Books	parcel			\$0.00
b. Meetings and Testimony for appropriations	parcel			\$0.00
c. Property Management	parcel			\$0.00
d. Specialty Appraisal Studies (Parking, Rent, Architectural etc.)	parcel			\$0.00

e. Copies and Recording fees (reimbursable based on actual cost for Titles and Closings - receipts necessary)	parcel	29	\$125.00	\$3,625.00
f. Miscellaneous	parcel			\$0.00
SECTION SUBTOTAL				\$3,625.00
SECTION TOTAL				\$107,095.00
GRAND TOTAL				\$230,250.00

PID 119934

Parcel	Take Type	Owner Name	Appraisal Format	RE-95	Appraisal Fee	PM Title	Full Title Report	PM Negotiation	Negotiations	PM Closing	Formal Closing	Copying/ Recording Fees
3	WD,T	Valerie Marr, et al	Summary	\$ -	\$ 6,500.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
4	WD,T	Valerie Marr, et al	Value Finding	\$ 350.00	\$ 1,875.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
8	WD,WD2	Roy E. Miller, Trustee	Value Finding	\$ -	\$ 1,875.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
15	WD	John M. Gansor & Marla J.	Summary	\$ -	\$ 6,500.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
16	WD	Saineddin N. Obeld & Linda N	Summary	\$ -	\$ 6,500.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
18	WD	Scott Pocos	Value Analysis	\$ -	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
20	WD	Linda S. Tallman	Summary	\$ -	\$ 6,500.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
21	WD	Andrew N. Kehl & Heather	Value Analysis	\$ -	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
22	WD	Kimberly A. Snyder & David	Value Analysis	\$ -	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
23	WD, T	Clifford E. Durk	Value Analysis	\$ -	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
24	WD	Cassandra Zahra	Value Analysis	\$ -	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
25	WD	Zoltan S. David & Corrinne	Value Analysis	\$ -	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
26	WD1 - 3, T	Board of Park	Value Finding	\$ -	\$ 2,100.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
27	WD	Avon Medical Leasing, LLC	Value Analysis	\$ -	\$ 770.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
28	WD	Daniel J. Forbis	Value Analysis	\$ 350.00	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
29	WD,T	Gerald King	Value Finding	\$ -	\$ 1,875.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
30	WD,T	Jeannie M. Brunori	Summary	\$ -	\$ 6,500.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
31	WD, 1-4,T	Kathleen Becker, Trust	Summary	\$ -	\$ 6,500.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
32	WD, WD2, T1	Kimberly Ditto	Value Finding	\$ -	\$ 1,875.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
32A	WD	Avon Local Schools	Value Analysis	\$ -	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
33	WD	Stoney Ridge Properties, LLC	Value Analysis	\$ -	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
34	WD	Christine Bassett	Summary	\$ -	\$ 6,500.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
35	WD	Jeffery Smith & Janna	Summary	\$ -	\$ 6,500.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
36	WD	Edwin J. Brunori & Janet	Value Analysis	\$ -	\$ 770.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
37	WD1, WD2	Lorand Neuwrith	Value Analysis	\$ -	\$ 770.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
38	WD1, WD2	Alan Vasu & Donna	Summary	\$ -	\$ 6,500.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
39	WD	Ranko Bojovic, et al	Value Analysis	\$ -	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
40	WD	James M. Bilancini & Mary	Summary	\$ -	\$ 6,500.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
41	WD	Charles Woodward & Lisa	Value Analysis	\$ -	\$ 700.00	\$ 240.00	\$ 825.00	\$ 240.00	\$ 2,250.00	\$ 240.00	\$ 700.00	\$ 125.00
29				\$ 700.00	\$ 84,610.00	\$ 6,960.00	\$ 23,925.00	\$ 6,960.00	\$ 65,250.00	\$ 6,960.00	\$ 20,300.00	\$ 3,625.00
				29	29	29	29	29	29	29	29	29

Parcel	Take Type	Owner Name	Appraisal Format
3	WD,T	Valerie Marr, et al	Summary
4	WD,T	Valerie Marr, et al	Value Finding
8	WD,WD2	Roy E. Miller, Trustee	Value Finding
15	WD	John M. Gansor & Marla J.	Summary
16	WD	Saineddin N. Obeid & Linda N	Summary
18	WD	Scott Pocos	Value Analysis
20	WD	Linda S. Tallman	Summary
21	WD	Andrew N. Kehl & Heather	Value Analysis
22	WD	Kimberly A. Snyder & David	Value Analysis
23	WD, T	Clifford E. Durk	Value Analysis
24	WD	Cassandra Zahra	Value Analysis
25	WD	Zoltan S. David & Corrinne	Value Analysis
26	WD1 - 3, T	Board of Park	Value Finding
27	WD	Avon Medical Leasing, LLC	Value Analysis
28	WD	Daniel J. Forbis	Value Analysis
29	WD,T	Gerald King	Value Finding
30	WD,T	Jeannie M. Brunori	Summary
31	WD, 1-4,T	Kathleen Becker, Trust	Summary
32	WD, WD2, T1	Kimberly Ditto	Value Finding
32A	WD	Avon Local Schools	Value Analysis
33	WD	Stoney Ridge Properties, LLC	Value Analysis
34	WD	Christine Bassett	Summary
35	WD	Jeffery Smith & Janna	Summary
36	WD	Edwin J. Brunori & Janet	Value Analysis
37	WD1, WD2	Lorand Neuwirth	Value Analysis
38	WD1, WD2	Alan Vasu & Donna	Summary
39	WD	Ranko Bojovic, et al	Value Analysis
40	WD	James M. Bilancini & Mary	Summary
41	WD	Charles Woodward & Lisa	Value Analysis

BOWMAN APPRAISAL SERVICES, INC.

3321 Ridgehill Avenue

Alliance, Ohio 44601

Ph. 330.829.0101

email: brucebbowman@gmail.com



Bruce B. Bowman, GAA
State Certified General Appraiser

March 19, 2025

City of Avon
36080 Chester Road
Avon, Ohio 44011
Attn: Ryan Cummins, P.E., City Engineer

RE: Appraisal Review Cost Proposal, LOR-83-16.76, PID 119934.

Dear Mr. Cummins:

Per your request, I am pleased to submit a Cost Proposal for Appraisal Review services for the LOR-83-16.76 Project in the City of Avon. The Cost Proposal is based on the review of 10- Summary Narrative Reports (RE-25-17), and 5- Value Finding Appraisal Reports. I have estimated the following Appraisal Review fees for the project.

5 - Value Finding Reviews @ \$600 each =	\$ 3,000
10 - Summary Narrative (proximity) @ \$2,600=	\$ 26,000
29- Appraisal Scoping Checklists @ \$150 each =	<u>\$ 4,350</u>
Total	\$ 33,350
 Total Appraisal Review Fees	 \$ 33,350.

Please call me at 330-829-0101 if you have any questions concerning my proposal.

Respectfully submitted,

Bruce B. Bowman, GAA
State Certified General Real Estate Appraiser #380181