

ORDINANCE NO. 101-13

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
AN AGREEMENT WITH E.L. ROBINSON ENGINEERING TO PERFORM
ENGINEERING DESIGN SERVICES FOR THE REPLACEMENT OF
THE RIEGELSBERGER BRIDGE OVER FRENCH CREEK
AT RIEGELSBERGER AND JAYCOX ROADS
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon is moving forward with the replacement of the Riegelsberger Bridge at Riegelsberger and Jaycox roads; and

WHEREAS, the need for a safe and secure motor vehicle and pedestrian crossing over French Creek at Riegelsberger and Jaycox roads is necessary to facilitate east-west transportation within the City, particularly, for the general safety of the traveling public, for the many residents and school buses that need to cross French Creek at that location and for neighborhood access to City and County parks; and

WHEREAS, the Administration, pursuant to its City Charter, has requested qualifications from various design professionals for the purpose of performing engineering design services for the Riegelsberger Bridge replacement; and

WHEREAS, after conducting a thorough review of all the qualifications of the various design professionals, the Administration is prepared to move forward with E.L. Robinson Engineering for the purposes of designing and overseeing construction of said project; and

WHEREAS, Council, has reviewed the proposal for professional services submitted by E.L. Robinson and finds their proposed design-build delivery system to be best suited to the replacement of the Riegelsberger Bridge considers entering into said contract to be in the best interests of the health, safety and welfare of the citizens of Avon.

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

Section 1 - That the City is hereby authorized to proceed with a design-build delivery system for the replacement of the Riegelsberger Bridge at Riegelsberger and Jaycox roads and to enter into an Agreement, a copy of which is set forth in Exhibit A and incorporated herein by reference, with E.L. Robinson Engineering for professional engineering services.

Section 2 - The Finance Director is hereby authorized to transfer funds in the amount of Forty-Nine Thousand Eight Hundred Sixty-Nine Dollars and 00/100 (\$49,869.00) from the General Fund No. 101 to the Riegelsberger/Jaycox Bridge Fund No. 438 to meet the obligations incurred under the terms of this contract and to cover other costs incurred for engineering and legal services associated with this project. This Ordinance shall authorize said funds to be appropriated and encumbered by the Finance Director and paid pursuant to his directives.

Ordinance No. 100-13 (Con't.)

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 enter into a contract with E.L. Robinson Engineering for the replacement of the Riegelsberger Bridge utilizing the design-build delivery method for this project; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Daniel S. Zegarac, President of Council

DATE APPROVED BY THE MAYOR: _____

James A. Smith, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

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