

ORDINANCE NO. 23-060

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR PROFESSIONAL SERVICES WITH WEST ERIE REALTY SOLUTIONS, LTD. OF TOLEDO, OHIO, FOR THE CLEVELAND ROAD SAFETY IMPROVEMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission approved and authorized the submission of an application to the Ohio Department of Transportation for financial assistance through the Highway Safety Improvement Program (HSIP) for the Cleveland Road Roundabout and Safety Improvement Project by Resolution No. 013-20R, passed on April 13, 2020; and

WHEREAS, the proposed Cleveland Road Safety Improvement Project involves improvements to Cleveland Road (S.R. 6), primarily between Sycamore Line and Remington Avenue, including signal improvements, sidewalks, extending turn lanes and includes construction, environmental, surveying, geotechnical, acquisition, and inspection as well; and

WHEREAS, West Erie Realty Solutions, Ltd. was selected as the top-ranked firm for the Cleveland Road Safety Improvement Project through the Annual Request for Statements of Qualifications (SOQ) for Services process based on the firm's professional expertise and technical ability necessary to complete the required tasks and has successfully performed similar tasks for the City in the past; and

WHEREAS, West Erie Realty Solutions, Ltd. will be providing professional services including appraisal and relocation reviews for the Cleveland Road Safety Improvement Project and is more fully described in the Scope of Services, which is attached to this Ordinance and marked Exhibit "A" and specifically incorporated herein; and

WHEREAS, the total cost of the professional services is \$47,650.00 of which \$45,267.50 (95%) will be paid with Highway Safety Improvement Program (HSIP) funds through the Ohio Department of Transportation (ODOT) and the remaining balance of \$2,382.50 (5%) will be paid with Major Infrastructure Street Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter to allow for property acquisition prior to the final plan sets and bidding in the spring of 2024; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

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BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into Agreement No. 38734 with West Erie Realty Solutions Ltd. of Toledo, Ohio, for Professional Services for the Cleveland Road Safety Improvement Project (PID 114056), substantially in the same form as attached to this Ordinance, marked Exhibit "1", and specifically incorporated as if fully rewritten herein, together with any revisions or additions as are approved by the Law Director as not being substantially adverse to the City and consistent with carrying out the terms of this Ordinance, at an amount **not to exceed** Forty Seven Thousand Six Hundred Fifty and 00/100 Dollars (\$47,650.00).

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: March 13, 2023

City of Sandusky

38734

This Agreement No. 38734 instated on the _____ of _____, 2023 by and between the City of Sandusky, hereinafter referred to as the City, and West Erie Realty Solutions, hereinafter referred to as the Consultant, with an office located at 323 Lafayette St, Toledo, OH 43604.

WITNESSETH

That the City and the Consultant, for the mutual considerations herein contained and specified, have agreed and do hereby agree as follows:

CLAUSE I - WORK DESCRIPTION

The Consultant agrees to perform Right of Way Acquisition services as authorized by the City for multi-intersection improvement project in Erie County, Ohio, identified as ERI-US 6-9.07.

CLAUSE II - INVOICE & PROJECT SCHEDULE

The City and the Consultant agree to the attached Invoice & Project Schedule including the overall Agreement length, and Scheduled Submittal dates and Review Times set out in the Project Schedule.

The Consultant agrees to submit the completed Invoice & Project Schedule transmittal letter together with the updated Invoice & Project Schedule for all billing purposes for all Parts of this Agreement every thirty (30) days as follows:

- (a) Signed original transmittal letter and invoice (IPS).

CLAUSE III - PRIME COMPENSATION

The City agrees to compensate the Consultant for the performance of the Work specified in this Agreement as follows:

Part 1: Right of Way Acquisition Services

Unit of Work Compensation as established in the table below. The maximum prime compensation shall not exceed forty-seven thousand, six-hundred and fifty dollars (\$47,650). All work shall be performed on an "if authorized" basis. The fee shall accumulate as authorized (separate cost accounting is not required for each activity).

West Erie Realty Solutions LTD		
Work Item	<i>Unit</i>	<i>Compensation Per Each</i>
PM Appraisal Review	Each	\$250
Appraisal Review	See attached	\$37,400 (total)
PM Relocation Review	Each	\$500
Relocation Review	Each	\$2,500

Prime Compensations, only as agreed and by proper modification of this Agreement and authorized in writing by the City may be added to or subtracted from under the authority of the Department of Transportation's "Specifications for Consulting Services, 2016 Edition".

CLAUSE IV - INCORPORATION BY REFERENCE

The following documents, or specified portions thereof, are hereby incorporated into and made a part of this Agreement as though expressly rewritten herein:

- (a) The Department of Transportation's "Specifications for Consulting Services, 2016 Edition".
- (b) The attached Scope of Services.
- (c) The Invoice & Project Schedule.
- (d) The most current Office of Budget and Management Travel Policy as published on the State of Ohio Website (<https://budget.ohio.gov/TravelRule>).

CLAUSE V - GENERAL PROVISIONS

Any person executing this Agreement in a representative capacity hereby warrants that he/she has been duly authorized by his/her principal to execute this Agreement on such principal's behalf.

Additionally, signing parties expressly understand that none of the rights, duties and obligations described in this Agreement shall be binding on either party until such time as the expenditure of funds is certified by the Director of Budget and Management, pursuant to Section 126.07 of the Ohio Revised Code.

(Signature Page to Follow)

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed as of the day and year first above written by affixing the signature of the duly authorized officer of the Consultant and the signature of the Contracting Authority of LPA (County Engineer/City Engineer/etc.).

West Erie Realty Solutions

Title: Greg R. Vriezelaar, President.

City of Sandusky

Title: John Orzech, Interim City Manager

EXHIBIT "1"

APPROVED AS TO FORM:

By: _____

Title: _____

PROPOSAL & AGREEMENT – Review Services



ERI-6-9.07, PID 114056

October 12, 2022- The following fee proposal is based on information provided to West Erie by the City of Sandusky and ORC.

1. Project Management (Appraisal Review) - 19 parcels @ \$250.00 per \$4,750.00

The project management fee is inclusive of meeting attendance with the various project partners, clerical support, the preparation of status reports and travel as may be necessary to assure timely coordination and completion of tasks involved in the acquirement of rights of way.

2. Appraisal Review – (SEE ATTACHMENT) \$37,400.00

(Martin & Wood Appraisal Group, Ltd.) These appraisal fees are based upon the appraiser's best estimate in the type of report required for any one parcel utilizing the plans provided by the client. Please keep in mind that the format of appraisal report for any one parcel is subject to revision based on plan changes that may be made to a parcel.

3. Project Management (Relocation Review) - 2 parcels @ \$250.00 per parcel.....\$500.00

The project management fee is inclusive of meeting attendance with the various project partners, clerical support, the preparation of status reports and travel as may be necessary to assure timely coordination and completion of tasks involved in the acquirement of rights of way.

4. Relocation Review – (2) Commercial Relocation @ \$2,500.00 per parcel \$5,000.00

Relocation Assistance is based on the preliminary information provided by the LCEO and records pulled from the Lucas County Auditor's office. A pre-acquisition survey will be completed to determine the exact number of occupants and displaces.

Total Cost Proposal\$47,650.00

EXHIBIT "A"

Respectfully submitted by:
West Erie Realty Solutions, Ltd.
323 Lafayette Street
Toledo, Ohio 43604

A handwritten signature in blue ink, appearing to read "Greg R. Vriezelaar".

Greg R. Vriezelaar
President

Date: October 12, 2022

Proposal Accepted By:
City of Sandusky

Joshua R. Snyder, PE, CPSWQ
Public Works Engineer

Date:

Subject: RE: Appraisal Review Services - West Erie Realty Solutions, Ltd.
Date: Monday, October 10, 2022 at 2:25:37 PM Eastern Daylight Time
From: Kevin Schroeder
To: Greg Vriezelaar
Attachments: image007.png, image009.jpg, image010.jpg, image011.png, image012.png, image013.png, image014.png, image020.jpg, image022.jpg, image028.png, image029.png, image030.png, image031.png, image032.jpg, image033.jpg, image034.png, image035.png, image036.png, image037.png

Greg,

Based on the revised appraisal formats provided by OR Colan, our proposed appraisal review fees are as follows:

Parcel 16 = \$300 (VA Review)

Parcel 18 = \$300 (VA Review)

Parcel 23 = \$300 (VA Review)

Parcel 51 = \$7,500 (Narrative Review)

Parcel 52 = \$300 (VA Review)

Parcel 53 = \$3,600 (Narrative Review)

Parcel 54 = \$3,600 (Narrative Review)

Parcel 55 = \$300 (VA Review)

Parcel 56 = \$600 (VF Review) (Tax Parcel 57-00771.000)

Parcel 56A = \$600 (VF Review) (Tax Parcel 57-05722.000)

Parcel 57 = \$3,600 (Narrative Review) (Tax Parcel 57-01467.000)

Parcel 57A = \$300 (VA Review) (Tax Parcel 57-05026.000)

Parcel 60 = \$3,600 (Narrative Review)

Parcel 96 = \$300 (VA Review)

Parcel 100 = \$300 (VA Review)

Parcel 105 = \$3,600 (Narrative Review)

Parcel 107 = \$600 (VF Review)

Parcel 109 = \$3,600 (Narrative Review)

Parcel 113 = \$300 (VA Review)

19 Appraisal Scoping Checklists (ASC's) @ \$200 / each = \$3,800

EXHIBIT "A"

Total = \$37,400

With the exception of Parcel 51, the above fees are based on ODOT's current Fee Guidance. Parcel 51 falls outside of ODOT's Fee Guidance due to its complex uses and the proposed takes involving the parcel.

Thanks,

Kevin P. Schroeder

Vice President

Martin + Wood Appraisal Group, Ltd.

Corporate Office

43 S. St. Clair Street

Toledo, Ohio 43604

419.241.4998 (Office)

567.420.1031 (Direct)

419.265.0915 (Cell)

419.241.5932 (Fax)

kschroeder@martin-woodappraisal.com

www.martin-woodappraisal.com



EXHIBIT "A"

From: Greg Vriezelaar <gregv@WestErieRealty.com>

Sent: Monday, September 26, 2022 12:41 PM

To: Kevin Schroeder <KSchroeder@martin-woodappraisal.com>

Subject: FW: Appraisal Review Services - West Erie Realty Solutions, Ltd.

Kevin,

The City of Sandusky has requested a cost proposal from West Erie for appraisal and relocation review services. ORC is completing the work through Structure Point. They provided ORC's cost proposal to show the proposed formats, etc.

Please provide me your fees.

Thanks,



Greg Vriezelaar

President