

FIRST READING: 11.14.16

SECOND READING: 11.28.16

THIRD READING: 12.12.16

ORDINANCE NO. 67-16

BY: JAMES W. MORAN

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE
TO PAY THE CITY OF CLEVELAND DIVISION OF WATER FOR A PROJECT
REIMBURSEMENT FOR THE 2015 WATER MAIN REPLACEMENT PROJECT IN THE
AMOUNT OF \$75,103.23

WHEREAS: the Reinstatement of the Water Service Agreement for Direct Services between the City of Cleveland and the City of Rocky River was entered into in December 2013; and

WHEREAS: Article 10 of said reinstatement provides for the City of Cleveland to be reimbursed for the unused funds of water main improvement projects; and

WHEREAS: Michael Mackay, P.E., City Engineer, reconciled the final allowable costs of the 2015 Water Main Replacement Project (which included Falmouth, Northview and Westway); and

WHEREAS: the reconciliation indicates the City of Cleveland, Division of Water has made previous estimated payment(s) to the City of Rocky River in excess of the total final allowable project costs in the amount of Seventy-Five Thousand One Hundred Three Dollars and 23/100 (\$75,103.23) as further described in the attached Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That the Director of Finance is hereby authorized to pay the City of Cleveland Division of Water a reimbursement for allowable water main project costs, as further described in the attached Exhibit "A".

SECTION 2. That the payment authorized herein for said reimbursement for water main project costs shall be paid from the sewer rehabilitation fund in the amount of \$75,103.23.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of public peace, health and safety, and for the further reason that the payment of reimbursement is part of the restatement of the water service agreement for direct service between the City of Cleveland and the City of Rocky River and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: December 12, 2016


JAMES W. MORAN
PRESIDENT OF COUNCIL

APPROVED: December 12, 2016

PRESENTED

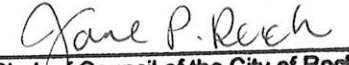
BY: MAYOR: December 12, 2016


JANE P. REICH
CLERK OF COUNCIL, ACTING

G. PEASE, JANE P. REICH
CLERK OF COUNCIL, ACTING


PAMELA E. BOBST
MAYOR

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall in accordance with the charter of Rocky River, commencing on the 12 day of December, 2016.


Clerk of Council of the City of Rocky River, Ohio
Acting

MICHAEL A. THOMAS, CPA
DIRECTOR OF FINANCE



City of Cleveland
Frank G. Jackson, Mayor

Exhibit "A"

Department of Public Utilities
Division of Water
1201 Lakeside Avenue
Cleveland, Ohio 44114-1175
(216) 664-2444
www.clevelandwater.com



October 28, 2016

Mr. Michael A. Thomas
Finance Director
City of Rocky River
21012 Hilliard Boulevard
Rocky River, OH 44116

2015 Water Main Replacement
Program – Falmouth, Westway
and Northview
Final Cost Reconciliation

Dear Mr. Thomas:

Per the terms of the amended Water Service Agreement between the City of Cleveland and the City of Rocky River, the Cleveland Division of Water is now responsible for the costs of capital improvements relative to the water distribution system within your municipality. These improvements may be undertaken either directly by the Division of Water or they may be undertaken by your community, subject to reimbursement by the Division of Water pursuant to the terms of your water service agreement (City Contract # PS2012*285).

The above referenced project has been completed by your municipality, subject to the reimbursement terms of our agreement. The final cost reconciliation for this project has been completed and is attached for your review (see attached spread sheet). This reconciliation indicates that the Cleveland Division of Water has made previous estimated payment(s) to the City of Rocky River in excess of the total final allowable costs for this project in the amount of \$ 75,103.23.

Accordingly, please make arrangements to remit a check made payable in this amount to the City of Cleveland, Division of Water to reimburse the City for this over payment. This check should be sent to the following address:

Cleveland Division of Water
1201 Lakeside Avenue
Cleveland, OH 44114

Attention: Mary Webster, Chief Auditor
Division of Utilities Fiscal Control

Please remit payment as expeditiously as possible, but not later than 45 days from your receipt of this letter. Your assistance in the processing of our reimbursement and the timely closing of this project is greatly appreciated. Should you have any questions, please feel free to contact the undersigned at (216) 664-2444 EXT 5635 or via e-mail @ chris_kocsan@clevelandwater.com.

Very truly yours,



J. Christopher Kocsan
Sr. Budget and Management Analyst
Cleveland Division of Water

Enclosure

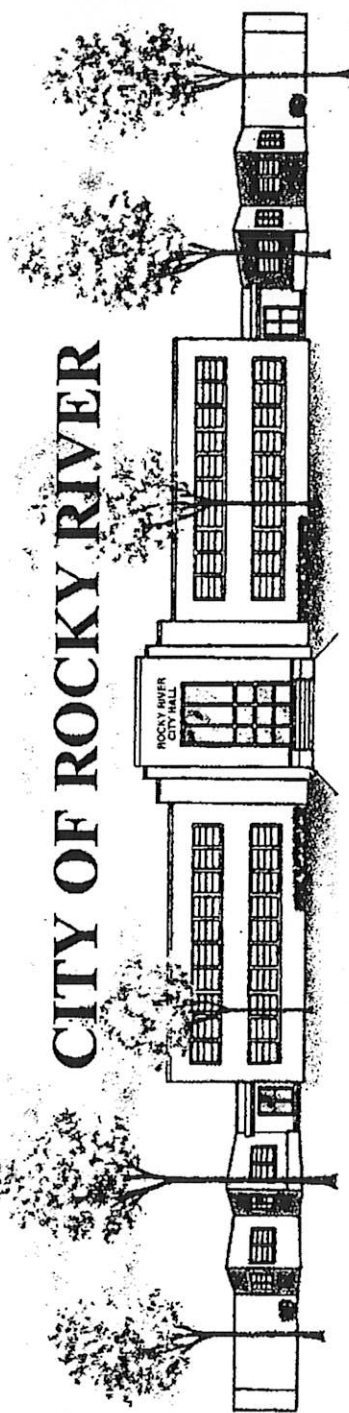
cc: Frank Badalamenti
Keith Cromer
Catherine Troy
Mary Webster
Pierre Haddad
Rasheed Warith

Summary of Reimbursement Status
City of Rocky River
Water Service Agreement (City Contract # PS 2012*285)

Final Project Reconciliation
2015 Water Main Replacement Program (Falmouth Drive, Westway Drive and Northview Road)

<u>Description</u>	<u>Previous Payment(s)</u>	<u>Amount Actually Due</u>	<u>Amount Over Paid</u>
Construction	\$1,085,784.00	\$1,034,299.70	\$51,484.30
Design (Max is 8% of Const)	66,753.65	66,753.65	\$0.00
Const Admin (Max is 5% of Const)	54,289.20	30,670.27	\$23,618.93
Totals	\$1,206,826.85	\$1,131,723.62	\$75,103.23

CITY OF ROCKY RIVER



21012 HILLIARD BLVD.

• ROCKY RIVER, OHIO 44116

• (440) 331-0600

October 20, 2016

J. Christopher Kocsan
City of Cleveland, Division of Water
Distribution Engineering Services
1201 Lakeside Avenue
Cleveland, Ohio 44114

RE: City of Rocky River
2015 Water Main Replacement
Final Project Reconciliation

Dear Mr. Kocsan,

Attached hereto is the final project reconciliation for the above referenced project. Please invoice the City of Rocky River for the total amount due.

Also attached hereto is the following supporting documentation:

1. Copy of electronic payment confirmations showing the City of Rocky River paid the invoices of Mackay Engineering and Fabrizi Trucking and Paving Co., Inc. Please note the City of Rocky River makes electronic payments to all vendors and does not have cancelled checks.
2. Project Cost Reconciliation Statement: This document shows the final construction costs, engineering costs, and construction administration costs and calculates the balance owed by the City of Rocky River.
3. Copy of the Contractor's final estimate, including all change orders.
4. Copies of Mackay's invoices for engineering and construction administration.
5. Copies of the Maintenance Bond and Contractor Affidavits.

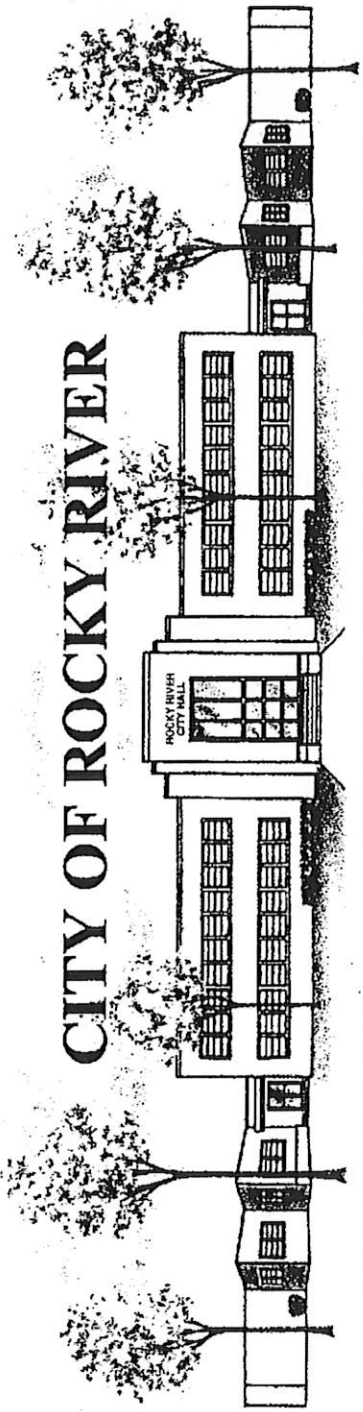
Please contact me with any questions or if you require additional information.

Sincerely,


Kimberly R. Kerber, PE
Project Manager

cc: Mike Thomas
Mary Kay Costello
Rasheed Warith, CWD

CITY OF ROCKY RIVER



21012 HILLIARD BLVD.

• ROCKY RIVER, OHIO 44116

• (440) 331-0600

MEMO

TO: J. Christopher Kocsan
FROM: Kimberly R. Kerber
DATE: October 20, 2016
RE: 2015 Rocky River Water Main Replacement
Project Cost Reconciliation

CC: Mary Kay Costello
Mike Thomas
Rasheed Warith, CWD

Total Construction Cost for Water Main Related Work: \$1,034,299.70
(please refer to the attached final estimate from Fabrizi)
Total Design Cost for Water Work: \$ 66,753.65
(please refer to invoices 74349, 74837 & 75039 from Mackay)
Total Construction Administration Cost for Water Work: \$ 30,670.27
(please refer to invoices 75398, 75876, 224, 909,
& 1105 from Mackay) **\$1,131,723.62**

Construction Cost Estimate paid by CWD: \$1,085,784.00
Design Costs paid by CWD: \$ 66,753.65
Construction Administration Cost Estimate paid by CWD: \$ 54,289.20
\$1,206,826.85

AMOUNT DUE TO CWD BY ROCKY RIVER: \$ 75,103.23

/fw
Enclosure

Kimberly R. Kerber
Kimberly Kerber
Project Manager