

ORDINANCE NO: 42-17

FIRST READING: 6.12.17

SECOND READING: 6.26.17

THIRD READING: 7.10.17

BY: CHRISTOPHER J. KLYM

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH R.E. WARNER & ASSOCIATES INC. FOR THE HAMILTON ICE ARENA ROOF PROJECT IN AN AMOUNT NOT TO EXCEED \$45,650.00 AND FURTHER APPROVES EXPENDITURES FOR CONTINGENCY

WHEREAS: Article VII, Section 4 of the Charter of the City of Rocky River provides for the acquisition of personal services such as unique engineering services; and

WHEREAS: the City of Rocky River issued a Request for Qualifications for the Hamilton Ice Arena Roof Project, and two (2) responses were received on May 5, 2017, copies of which are available at the Safety Service office; and

WHEREAS: the proposals were reviewed and evaluated by the Director of Public Safety Service, Recreation Director, Facilities Manager and City Engineer, and it was determined to be in the best interest of the City of Rocky River to accept the proposal from R.E. Warner & Associates Inc., 25777 Detroit Road, Ste. 200, Westlake, Ohio 44145 in an amount not to exceed Forty-Five Thousand Six Hundred Fifty Dollars and 00/100 (\$45,650.00) as further explained in Exhibit "A" and up to Twenty Thousand Dollars and 00/100 (\$20,000.00) for contingency if they arise in this project.

WHEREAS: the funds ratified herein are applicable to the scope of services described in Exhibit "A"; however, if during construction it becomes apparent that additional services are required, then the City may pursue an addendum to the scope of services with an impending ratification of that addendum which would add to the scope of services and would be presented to City Council.

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

SECTION 1. That City Council ratifies the services rendered and that the Mayor is hereby authorized to enter into the professional services agreement with R.E. Warner & Associates Inc., 25777 Detroit Road, Ste. 200, Westlake, Ohio 44145 for the Hamilton Ice Arena Roof Project in an amount not to exceed Forty-Five Thousand Six Hundred Fifty Dollars and 00/100 (\$45,650.00) as further explained in Exhibit "A" and City Council further approves the expenditure of funds up to Twenty Thousand (\$20,000) that may be necessary due to emergency contingencies experienced during this project.

SECTION 2. That funds for said professional engineering services shall be paid from the Rink Improvements account of the Capital Improvement Fund.

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 professional services are necessary to plan for the improvement of critical building operations at the Hamilton ice arena roof 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.

ISSUED: July 10th, 2017

JAMES W. MORAN
PRESIDENT OF COUNCIL

PRESENTED
MAYOR: July 10th, 2017
APPROVED: July 10th, 2017

SAN G. PEASE
CLERK OF COUNCIL
PAMELA E. BOBST
MAYOR

It is hereby certified that the amount required for the execution of this Ordinance has been fully appropriated, or authorized, or directed for such purpose and is in the treasury or in the process of collection to the credit of the fund described herein free from any obligation or certification now outstanding.

MICHAEL THOMAS, CPA
Director of Finance

the undersigned clerk of Council of the City of Rocky River, 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 10th day of July, 2017.

Michael Thomas
Clerk of Council of the City of Rocky River, Ohio

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ISSUED: July 10th, 2017 *James W. Moran*
PRESENTED
MAYOR: July 10th, 2017 **APPROVED:** July 10th, 2017
TEST: *James W. Moran*
SAN G. PEASE
CLERK OF COUNCIL
PAMELA E. BOBST
MAYOR

It is hereby certified that the amount required for the execution of this Ordinance has been fully appropriated, or authorized, or directed for such purpose and is in the treasury or in the process of collection to the credit of the fund described herein free from any obligation or certification now outstanding.

Michael Thomas
MICHAEL THOMAS, CPA
Director of Finance

the 10th day of July, 2017
accordance with the charter of Rocky River, commencing on
thereof in the lobby of the Rocky River City Hall, in
foregoing ordinance was duly made by posting a true copy
State of Ohio, do hereby certify that publication of the
City of Rocky River,
Clerk of Council of the City of Rocky River, Ohio

the day of _____, 20____, 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 _____ day of _____, 20____.

Clerk of Council of the City of Rocky River, Ohio

Angela L. Shaw
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED
MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 10th DAY OF
July, 20 17.

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF
ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE
FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE
NO. 42-17 ADOPTED BY THE COUNCIL OF SAID CITY
ON THE 10th DAY OF July, 20 17 THAT THE
PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND
CERTIFIED OF RECORD ACCORDING TO LAW; THAT NO
PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH
ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND
THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD
IN ORDINANCE RECORD NO. 42-17

City of Rocky River } ss
County of Cuyahoga }

PROFESSIONAL SERVICES PROPOSAL
CITY OF ROCKY RIVER
HAMILTON ICE ARENA ROOF PROJECT

PREPARED BY:
R.E. WARNER & ASSOCIATES, INC.
LA OFFICE PLAZA II, SUITE 200
25777 DETROIT ROAD
WESTLAKE, OHIO 44145
PHONE: (440) 835-9400
FAX: (440) 835-9474

PURPOSE AND OBJECTIVE

This facility is used as an ice rink for 6 months and is used as a soccer day camp facility for 6 months. The existing roof is approximately 47 years old and is approximately 26,000 sq. ft. The following maintenance has been performed on the roof: an aluminum roof coating was applied in 1999; flashing was sealed with seam tape and elastomeric coating also applied in 1999. In 2004 the roof was sealed around support legs of make-up air units and leaks were patched using coating (completed in-house) with 'Jetcoat' reflective elastomeric roof coating. In 2016 additional in-house elastomeric roof coating applied to areas that were leaking using peel and stick cover tape (Gentite) and rubberized wet patch (Henry) and self-adhesive cover strips. All of these efforts seem to be failing or near failing and require some overall attention.

It is the purpose of this proposal to evaluate the existing roof, provide the City with options for a new overlaid roof system and prepare documents for bidding and construction for agreed upon solution. The following represents the scope of work being provided, the cost to perform said scope and any clarifications and exceptions that accompany our fee.

SCOPE OF WORK

GENERAL:

1. Field work to analyze the existing conditions. This will include the documentation of the existing roof, the existing structural system and existing mechanical units that are being replaced. An allowance for testing of various roofing materials has been included in this cost proposal.
2. Provide project management and support services to plan, schedule, monitor and control the project.
3. Perform quality review on deliverables in accordance with R.E. Warner's quality manual.

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City of Rocky River

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4. Provide a "Probable Cost of Construction" estimate for the work presented in the construction documents. This proposal includes one estimate for a final cost that can be used to compare bids against.
5. Attend meetings to discuss options, design progress and construction type meetings that are outlined below. We have included three meetings in the design phase of the project.

ARCHITECTURAL:

1. Complete drawings and specifications that will be used for the use in bidding and construction. These will include
 - a. Roof plan
 - b. Details. These will be integrated from the basis of design manufacturer's details.
 - c. Technical specifications and assistance with the front-end specifications.

STRUCTURAL:

1. Analysis of the existing structure to determine how much additional weight can be placed on the existing structure. This analysis will be conducted through field observations and researching existing drawings.

MECHANICAL:

1. Complete drawings and specifications that will be used bidding and construction. These will include
 - a. Roof plan
 - b. Details
 - c. Technical specifications and calculations for the new equipment which includes 4 new HVAC roof top units.
 - d. Minor natural gas piping revisions required for the installation of the new HVAC units; complete rerouting is NOT included.

ELECTRICAL:

1. All electrical work will be for the support of the new mechanical equipment.

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BIDDING:

1. Assist the City in obtaining bids, although the advertisement will be completed by others, R. E. Warner will assist in distribution of documents.
2. Attend a pre-bid meeting.
3. Respond to contractor's questions during bidding; issue addenda as necessary.
4. Develop a bid tabulation.
5. Make a recommendation of award.

DELIVERABLES

R.E. Warner will provide the following deliverables to fulfill the scope of work:

1. Prepare copies of drawings and specifications for review, bid, and construction issues.
2. Prepare all drawings, specifications and applications for review by the governing authority over permitting.
3. Additional copies requested by the client will be invoiced in accordance with our current rates sheet.
4. It is the intent of this proposal that the deliverable will include a scope of work, roof plan, details and specifications. Other than the roof plan the scope of work, details and specifications will be on 8.5" x 11" paper.
5. Document files on electronic media shall be delivered to Rocky River upon completion of the project. These files are for your use only. Because of potential data degradation and for record purposes, we will maintain an electronic copy of each document in portable document format (Adobe PDF) as the copy of record. Modification of the electronic media without R.E. Warner's written permission is at the sole risk of the user.

RESPONSIBILITIES OF ROCKY RIVER AND/OR OTHERS

1. Designate a representative with the authority to receive information and transmit instructions.
2. Provide requirements for the project including objectives, constraints, design and construction standards and reference drawings.

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3. Provide readily available information, pertinent to the project, upon which R.E. Warner may rely. This information will include reference drawings, vendor drawings, and building loading documentation. Our cost is based on receiving existing building drawings prior to conducting the field work.
4. Client to provide City's standard construction procurement forms and front-end specs that can be modified for use on this project.
5. Building Automation coordination and integration into the existing system with the new HVAC units.
6. Arrange for safe, unrestricted access upon the project site as required.
7. Inform R.E. Warner of all known or suspected hazardous substances, materials or constituents that may be present at the job site.
8. Obtain any and all consents, approvals, licenses and permits necessary for the project.
9. Provide construction and equipment contract inquiries and awards.
10. Provide construction supervision and safety compliance.
11. Provide detail shop drawings of HVAC units, new roofing system, etc.

CLARIFICATIONS AND EXCEPTIONS

1. It is assumed that the exhaust fans will be operational at the time of new HVAC installation.
2. The HVAC will be replaced in kind.
3. All work identified in the report will be based on the existing drawings that are to be provided by the City of Rocky River and our field investigation. Work to obtain precise measurements of the existing building/structure have not been included during R.E. Warner's field investigations.
4. No Building Automation Services are included under this proposal, only what is necessary to ensure that that new units will integrate properly.
5. Except as noted, testing services are **not** included under this proposal.
6. R.E. Warner reserves the right to determine what areas are limited or inaccessible due to safety concerns and issues.
7. If any safety related items are discovered during the structural observation (i.e. encounter with exposed electrical wires), they will be documented in the findings. However, it is **not**

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- the intent of our observations to note items outside of the evaluation of roofing materials HVAC units and structural components.
8. Observations of structural components include the structural capacity of the existing roof structure only.
9. Our observation and assessment of the physical condition of the structural components will be based upon accessibility to these areas and their cleanliness. However, access may not be possible in all areas due to physical obstructions, safety issues, operational constraints, and/or excessive dust accumulation. Areas that have been determined to be inaccessible or allow only a limited observation will be duly noted in the report.
10. We have assumed that the field work will take place during normal day time shift hours (Monday through Friday between 8:00 am and 4:00 pm).
11. We have allocated one day for inspection and observation activity. Additional site visits required due to outage requirements, inordinate inspection time due to access/safety/cleanliness issues, City of Rocky River delays and/or schedule deviations, and unforeseen conditions, will result in additional fees submitted via a Change Order.
12. For the purpose of this proposal, any supporting documents, and any related work, the terms "inspection," "visual examination," and "observation" are used interchangeably. They refer to a limited visual observation of the existing components and they are not to imply our scope of services includes a rigorous and complete review of each component. The intent of our scope of services is to visually observe and note obvious deficiencies related to chronic roof leaks.
13. Construction Scheduling is not included under this proposal.
14. No record drawings are included as a part of this proposal.
15. It is assumed that presentations will not need to be made to any regulatory agencies besides those conducted with the team for this project with regard to progress, design etc. and any meetings necessary to obtain a building permit.
16. It is assumed that the existing structure can accommodate additional weight. The design will be adjusted as much as possible to reflect what the structure can accommodate. However, if structural reinforcing is necessary, the necessary design work and drawings for that reinforcing is not included in this proposal.
17. It is assumed that the current electrical system at the facility can accept the loads of the new HVAC units.
18. This proposal does not include any construction administration services. They will be provided under a separate contract.

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19. Anything that has been excluded above can be included as an amendment to this proposal up to the cost included in our contingency.
20. This cost does not reflect the cost to include the ability to add a condensing unit onto the new HVAC units in the future.

KEY PERSONNEL

Mr. Brett A. Neff will be the project officer.

Ms. Jennifer R. Kalin LEED AP BD+C will serve as project manager.

Mr. Stephen C. Rufe will serve as the architect of record.

SCHEDULE

Deliverable	Date
Proposal Response	May 15, 2017
Notice to Proceed	May 30, 2017
Completion of Bid Documents	June 13, 2017
Advertisement for Bids	June 16, 17, 18, 2017
Bidding Period	June 19, 2017 to June 26, 2017
Notice of Award to the Contractor	July 10, 2017
Construction Period	July 17, 2017 – September 15, 2017*

**Weather permitting*

This schedule reflects the time necessary to complete a project of similar scale and scope. However, this schedule can be reduced by incorporating any of the following;

- Reduced review time for award of the design and construction contracts.
- The mechanical equipment will likely be the driving force setting the schedule as roof top units can take as long as ten weeks to arrive on site. R.E. Warner and Associates will do our due diligence to specify a unit that performs as required but that also has a manageable lead time. Owner purchased units in lieu of contractor purchased units could also speed up this process.
- It will be possible for contractors to reduce the length of the construction period by adding additional manpower per shifts or working multiple shifts. This, however, will increase the cost of construction.

R.E. Warner's entire staff for this project works out of the Westlake office, which allows for close

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collaboration for the project. This proximity to one another cuts down on the time spent waiting for someone to return a call or reply to an email. Meetings can be conducted on the fly at a team member's desk and without a formal invitation. These are just a few of the benefits of having all disciplines under one roof.

With implementation of some of the above recommendations, team work and cooperative weather, it would be possible that the roof could be installed prior to the ice going in, in the month of August.

ENGINEERING COST

Our services are covered herein shall be provided for a lump sum design fee of **\$45,650**, which includes a design contingency of **\$4,150** and an environmental testing allowance of **\$2,000**.

METHOD OF PAYMENT

Payment for such services shall be monthly. The amount of each payment is to be determined by the actual hours worked, plus expenses.

TERMS AND CONDITIONS

All work shall be performed in accordance with the attached Standard Terms and Conditions.

VALIDITY

This proposal is valid for 60 calendar days. Acceptance at a later date will require confirmation or modification of schedule and costs. All work performed after December 31, 2017 is subject to 5% increase annually.

CONFIDENTIALITY

R.E. Warner has spent considerable time and effort in the research and development of this proposal which is tailored to the specific needs of your project. This proposal reflects our knowledge of your requirements and our unique approach to addressing those requirements. Since we do not receive a fee for this proposal, this document should be considered proprietary property of R.E. Warner and should not be disclosed in any way to other parties without the written consent of R.E. Warner.

ACCEPTANCE

If you find the proposal acceptable, please sign and return one copy of this agreement. This will serve as our formal authorization and agreement to provide these services. If you prefer to issue a purchase order, please reference Proposal No. P27417-R1.

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ACKNOWLEDGED AND ACCEPTED

R.E. WARNER & ASSOCIATES, INC.

ACKNOWLEDGED AND ACCEPTED

CITY OF ROCKY RIVER

By



By

Brett A. Neff

Title

Senior Vice President

Title

Date

May 26, 2017

Date