FIRST READING: 9.13.21
SECOND READING: 9.27.21
THIRD READING: 10.11.21

ORDINANCE NO. 65-21

BY: MICHAEL O'DONNELL

AN EMERGENCY ORDINANCE AUTHORIZING THE DIRECTOR OF FINANCE TO PAY THE CITY OF CLEVELAND DIVISION OF WATER A REIMBURSEMENT FOR THE 2020 STORY ROAD WATER MAIN IMPROVEMENT PROJECT IN THE AMOUNT OF $3,108.56

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 (Ordinance 40-13); 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 2020 Story Road Water Main Replacement Program; 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 Three Thousand One Hundred Eight Dollars and 56/100 ($3,108.56) 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 $3,108.56.

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 it is necessary to proceed immediately so that The City of Cleveland Division of Water be reimbursed for unused funds, 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: October 11th, 2021

JAMES W. MORAN
President of Council

PRESENTED
TO MAYOR: October 11th, 2021

APPROVED, October 11th, 2021

ATTEST:

SUSAN 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 lawfully 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

Nakonek/S/Ordinances & Resolutions/2021 Ordinances/Cle. Water Reimbursement Story Rd.

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 11th day of October, 2021.

Clerk of Council of the City of Rocky River, Ohio

City of Rocky River } ss
County of Cuyahoga }

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. 65-21 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 11th DAY OF October, 2021 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. 65-21

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 11th DAY OF October, 2021.

CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO

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07/22/2021
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Exhibit "A"

City of Cleveland
Frank G. Jackson, Mayor

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

July 20, 2021

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

Story Road Water Main
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 existing 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 $ 3,108.56.

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 75635 or via e-mail @ chris_kocsan@clevelandwater.com.

Very truly yours,

J. Christopher Kocsan

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

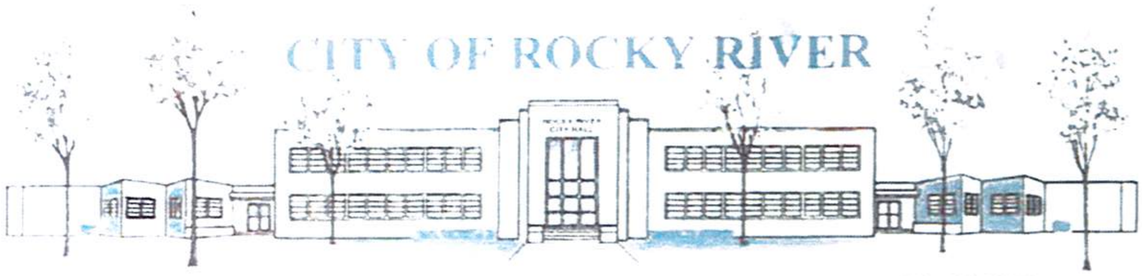
Enclosure

cc: Mary Webster
Alex Margevicius
Jose Hernandez
Greg Sattler
Rasheed Warith

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

Final Project Reconciliation
Story Road Water Main Replacement

Description	Previous Payment(s)	Amount Actually Due	Refund Due to CWD
Construction	$635,531.00	$649,688.90	-$14,157.90
Design (Max is 8% of Const)	50,842.48	51,412.94	-$570.46
Const Admin (Max is 5% of Const)	31,776.55	13,939.63	$17,836.92
Totals	$718,150.03	$715,041.47	$3,108.56



MEMO

TO:	J. Christopher Kocsan	CC:	Mike Thomas Rich Snyder Maureen Nakonek Jose Hernandez, CWD

FROM: Kimberly R. Kerber, P.E.
Project Manager

DATE: July 19, 2021 (revised)

RE: 2020 Story Road Water Main Replacement and Pavement Resurfacing Project
City of Rocky River
Project Cost Reconciliation

Total Construction Cost: (please refer to the attached final estimate from Fabrizi, max. allowed)	$	649,688.90
Total Design Cost for Water Work: (please refer to invoices 5027, 5491, 5833, 6107 & 6344 from Mackay)	$	51,412.94
Total Allowable Construction Administration Cost for Water Work: (please refer to invoices 6662, 7014, 7210, 7555 & 7637 from Mackay)	$	13,939.63
	$	**715,041.47**
Construction Cost Estimate paid by CWD:	$	635,531.00
Design Costs paid by CWD:	$	50,842.48
Construction Administration Cost Estimate paid by CWD:	$	31,776.55
	$	**718,150.03**
AMOUNT DUE TO CWD BY ROCKY RIVER:	**$**	**3,108.56**

Kimberly R. Kerber

Kimberly R. Kerber, P.E.
Project Manager

/bhm
Enclosure

RR 20 Story CWD RECONCILE rev.docx

July 13, 2021

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

RE: City of Rocky River
2020 Story Road Water Main Replacement and Pavement Resurfacing Project
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. 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.
2. Copy of the Contractor's final pay request, including all change orders.
3. Copy of all of the Contractor's pay requests, including the electronic payment confirmation report showing the City of Rocky River paid all pay requests to Fabrizi Trucking & Paving Co., Inc. Please note the City of Rocky River makes electronic payments to all vendors.
4. Copies of Mackay's invoices for engineering and construction administration, including the electronic payment confirmations showing the City of Rocky River paid all invoices to Mackay Engineering.
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

Kimberly R. Kerber, PE
Project Manager

cc: Mike Thomas
Rich Snyder
Maureen Nakonek
Jose Hernandez CWD

RR 20 Story CWD Final Reconciliation Memo.docx

2020 WATER MAIN REPLACEMENT AND PAVEMENT RESURFACING FOR STORY ROAD
PROJECT COST BREAKDOWN CALCULATIONS – Pay Estimate No. 8 & Final

Job No. 19E05

June 9, 2021
Revised July 19, 2021

OWNER: City of Rocky River
Attn: Finance Department
21012 Hilliard Boulevard
Rocky River, Ohio 44116

CONTRACTOR: Fabrizi Trucking and Paving Co., Inc.
20389 First Avenue
Middleburg Heights, Ohio 44130

Total Complete to Date	$	997,753.40
Less Pay Estimate No. 1	($	76,779.06)
Less Pay Estimate No. 2	($	188,226.48)
Less Pay Estimate No. 3	($	236,482.32)
Less Pay Estimate No. 4	($	58,117.12)
Less Pay Estimate No. 5	($	229,232.52)
Less Pay Estimate No. 6	($	154,749.05)
Less Pay Estimate No. 7	($	2,606.85)
TOTAL AMOUNT TO BE PAID BY CITY	**$**	**51,560.00**
CWD Final Construction Amount	$	654,803.22
CWD Maximum Funded Amount	($	649,688.90)
TOTAL AMOUNT OF WATER CONSTRUCTION TO BE FUNDED BY CITY	$	5,114.32
City Funded Final Pavement Construction Amount	$	342,950.18
City Funded Water Construction Final Amount	$	5,114.32
TOTAL AMOUNT OF CITY FUNDED CONSTRUCTION	$	348,064.50

Note: *This sheet is included for calculation purposes only.* ***Do not*** *issue checks from this sheet. These totals are included on previous pages.*