

AN ORDINANCE NO. 25-141

Authorizing the City Manager to enter into Modification No. 1 to Agreement No. 40899 with Choice One Engineering Corporation for the CLA CR333-11.35 Sidewalks aka CLA Bechtle Ave Sidewalk Project, PID No. 118643, to increase the agreement in an amount of \$48,928.00, for a total agreement amount not to exceed \$376,707.00, and declaring an emergency therein.

...oooOOOooo...

WHEREAS, the City entered into Agreement No. 40899 with Choice One Engineering Corporation for engineering design services for the CLA CR333-11.35 Sidewalks aka CLA Bechtle Ave Sidewalk Project, PID No. 118643, as approved in Ordinance No. 24-141; and

WHEREAS, additional engineering design services are needed for the CLA CR333-11.35 Sidewalks aka CLA Bechtle Ave Sidewalk Project, PID 118643; and

WHEREAS, it is necessary that this Ordinance become effective immediately in order to expedite the start of work, thereby providing for the usual daily operation of the Engineering Department, which this Commission finds creates an emergency necessitating the immediate effectiveness of this Ordinance: NOW, THEREFORE:

BE IT ORDAINED by the City Commission of The City of Springfield, Ohio, at least four of its members concurring:

Section 1. That the City Manager is hereby authorized to enter into Modification No. 1 to Agreement No. 40899, a copy of which is attached hereto and is hereby approved, with Choice One Engineering Corporation for the CLA CR333-11.35 Sidewalks aka CLA Bechtle Ave Sidewalk Project, PID No. 118643, to increase the agreement in an amount of \$48,928.00, for a total agreement amount not to exceed \$376,707.00.

Section 2. That by reason of the emergency set forth and defined in the preamble hereto, this Ordinance shall take effect and be in force immediately.

PASSED this 6th day of May, A.D., 2025.

  
\_\_\_\_\_  
PRESIDENT OF THE CITY COMMISSION

  
\_\_\_\_\_  
CLERK OF THE CITY COMMISSION

CITY OF SPRINGFIELD  
76 E. HIGH ST.  
SPRINGFIELD, OHIO 45502

Allan Heitbrink  
Choice One Engineering Corporation  
440 E. Hoewisher Road  
Sidney, Ohio 45365

Re: Modification (40899-1)  
CLA-CR333-11.35 Sidewalks  
PID No. 118643  
Federal Project No. E240(571)  
Additional Right of Way Plan Effort

Dear Mr. Heitbrink:

Reference is made to your proposal letter dated April 4, 2025, requesting compensation for the additional services required for Right of Way plan effort and title research.

The City agrees that additional services are required and further agrees that this Modification represents an adjustment of prime compensation for an increase of Forty-Eight Thousand Nine Hundred Twenty-Eight Dollars (\$48,928.00), allocated to the following work items:

<u>Item</u>	<u>Net Fee</u>	<u>Maximum Fee</u>
Part 1: Planning thru Environmental Engineering	\$3,532.00	\$48,928.00

Now, therefore, Project Development Process under Clause III - Prime Compensation of the Prime Agreement, is modified to read as follows:

Project Development Process.

Part 1: Planning thru Environmental Engineering.

Actual costs plus a fixed fee of Twenty-Four Thousand Eight Hundred Twenty-One Dollars (\$24,821.00). However, the maximum prime compensation shall not exceed Three Hundred Fourteen Thousand Four Hundred Eighty-One Dollars (\$314,481.00).

Allan Heitbrink

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Part 2: Final Engineering.

Actual costs plus a fixed fee of Four Thousand Eighty-Four Dollars (\$4,084.00). However, the maximum prime compensation shall not exceed Fifty-Eight Thousand Nine Hundred Sixty-Nine Dollars (\$58,969.00).

Part 3: Pre-Bid Activities.

Actual costs plus a fixed fee of Two Hundred Seventy-Six Dollars (\$276.00). However, the maximum prime compensation shall not exceed Three Thousand Two Hundred Fifty-Seven Dollars (\$3,257.00).

The total maximum prime compensation of all Parts which may be authorized for the subject Agreement is Three Hundred Seventy-Six Thousand Seven Hundred Seven Dollars (\$376,707.00).

If your firm accepts this Modification and agrees that the aforementioned compensation shall constitute full compensation for the provision of the professional services proposed herein, and further agrees that all other terms and provisions of the prime Agreement, not in conflict herewith, shall remain unaltered and in full force and effect, please sign this letter-modification and return to the City.

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



Allan Heitbrink

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Additionally, it is expressly understood by the parties that none of the rights, duties and obligations described in this Modification 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.

IN WITNESS WHEREOF, the parties hereto have caused this Modification to be executed as of the day and year first above written by affixing the signature of the duly authorized officer of Consultant and the signature of the City Manager.

Your authorization to proceed shall be given by separate letter.

Respectfully,

Bryan Heck  
City Manager

BH:TLB

APPROVED AS TO FORM:

By: \_\_\_\_\_

Title: \_\_\_\_\_



Allan Heitbrink  
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### ACCEPTANCE

The undersigned, Choice One Engineering Corporation, does hereby approve and accept the proposed terms of this Modification as set forth in the foregoing letter.

IN WITNESS WHEREOF, I have hereunto affixed my own signature, as a duly authorized member of said firm, this 10<sup>TH</sup> day of APRIL, 20 25.

CHOICE ONE ENGINEERING CORPORATION

By:



Title:

Project Manager