

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT WITH THE MANNIK & SMITH GROUP, INC., FOR THE LOR-US6-15.87 PEDESTRIAN IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, the City of Avon Lake desires to retain the personal services of the Mannik & Smith Group, Inc., for design services associated with the LOR-US6-15.87 Pedestrian Improvement Project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the Mayor is hereby authorized and directed to execute a personal services agreement (Exhibit A) with the Mannik & Smith Group, Inc., of Shaker Heights, Ohio, to design pedestrian safety improvements that will include sidewalks, ADA-compliant curb ramps, and pedestrian crossings from SR 83 to the western corporation limit of Sheffield Lake along Lake Road.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in an open meeting of this Council, and that all deliberations of this Council and any of its committees which resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to improve accessibility along Lake Road and provide pedestrian safety improvements, thus for the health, safety, and welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: 5/28/2024

/s/ Martin E. O'Donnell  
President of Council

POSTED: 5/31/2024

APPROVED: 5/30/2024

ATTEST: /s/ Valerie E. Rosmarin  
Clerk of Council

/s/ Mark A. Spaetzel  
Mayor



April 18, 2024

Chris L. Howard, P.E. CPESC  
**City of Avon Lake**  
150 Avon Belden Road  
Avon Lake, Ohio 44012

**RE: Proposal for PID 119923 – LOR-US6-15.87 (Avon Lake, OH)**

Dear Mr. Howard:

The Mannik & Smith Group, Inc. (MSG) appreciates the opportunity to provide The City of Avon Lake to enhance the safety of its transportation network along Lake Road (US 6) from the western corporation limits with Sheffield Lake to Avon Belden Road (SR 83). Our proposal is based upon your request from January 12, 2024, and our experience with this type of project. MSG understands your needs, is experienced in completing this type of work and has the desire to perform this project in an efficient, timely and cost-effective manner. We trust that the scope of our service(s) detailed below conveys to the City of Avon Lake the expertise of our project team and our strong commitment to provide the quality consulting service you expect and deserve.

## **BACKGROUND**

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This project is a continuation of the US 6 curb ramp improvement project (PID 117317) and accounts for the remaining sidewalk upgrades along the US 6 corridor from the western corporation limits with Sheffield Lake to Avon Belden Road (SR 83). MSG will incorporate the balance of the pedestrian improvements as recommended in the US 6 Safety Study as developed for the City of Avon Lake by MSG in 2021. This second phase of improvements focuses on improved pedestrian safety which includes the addition of sidewalks to complete sidewalk connections, upgrades to curb ramps to meet ADA guidelines, and the addition of Pedestrian Hybrid Beacons (PHB) at Miller Road Park (Beachpark Tower driveway) and the west leg of the S.R. 83 intersection.

## **SCOPE OF WORK**

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MSG has been retained by the City of Avon Lake to provide design documents and quantities for sidewalks, curb ramps, and PHBs. The scope of work will be performed according to ODOT specifications and as detailed in the attached ODOT worksheets as provided in **Appendix A**. The general projects limits are as shown in **Appendix B**.

### **Survey**

Survey has been completed as a part of the previous work performed for PID 117317 and will be utilized for this project. This work included the development of topographic survey to provide a topographic and terrain model base file. Existing right-of-way information was also compiled and will be utilized to establish right-of-way impacts for the project and produce right-of-way documentation. Additional services will be required for pin location, invert elevations and verifying existing conditions.



## **Traffic and Curb Ramp Design**

### Lake Road (US 6) Sidewalk, Curb Ramp Design, Details and Quantities

The City of Avon Lake, Ohio will improve approximately 49 curb ramps and add sidewalk along the 2.6-mile Lake Road (US 6) corridor between the western corporation limits with Sheffield Lake and Avon-Belden Road (SR 83) according to **Appendix B**. The sidewalk will be designed to be 5 feet in width for the corridor but where right-of-way may be limited or there are utility impacts this may be reduced to 4 feet but for lengths of no more than 200 feet. The sidewalk layout will consider the existing bike lanes, landscaping, and utilities. In areas where installing sidewalk will be difficult, MSG will coordinate with Avon Lake on the preferred solution. Sidewalk will be added to both the north and south sides of US 6 where designated from the safety study performed in 2021.

Cross sections will be provided at 50-foot intervals where there is proposed sidewalk to detail adjustments to storm inlets or grading.

Design plans will be produced for the following items:

- Removal and reconfiguration of approximately 49 curb ramps within the 2.6-mile Lake Road project corridor west of SR 83.
- Completion of sidewalk connections as detailed in **Appendix B** attached. (approx. 8,100 ft.)

### Maintenance of Traffic

Work will be phased to be on one side of the road at a time to maintain pedestrian movements on the side of the street not under construction. The existing sidewalk facilities are incomplete and will have limited impact to the pedestrians while closing gaps. The City has an ordinance that requires the use of law enforcement officers (LEOs) and flagging will be used to maintain traffic during construction. Maintenance of traffic notes will be provided with reference to ODOT standard drawings to address phasing in the plans.

### Traffic Control – Signals/Signing

Traffic control plans will include the layout and design a total of four PHBs with two PHBs at Miller Road Park (Beachpark Tower driveway) and two PHBs at the west leg of the S.R. 83 intersection.

### Traffic Control – Pavement Markings

Pavement marking layout will be incorporated at cross walks and at the two PHB locations. Roadway centerline and edge striping is not included in this scope of work and the plan and profile sheets will incorporate cross walk pavement marking details for each crosswalk and associated quantities.

### Drainage Design

Drainage improvements will be considered where required to maintain positive drainage through the site. This includes reuse of existing inlets, and the intent is to not provide new inlets as there are a limited number of existing inlets to tie into. Drainage design will be limited to minor grading and resetting of inlet castings.

### Right-of-Way Plan Development

There are an estimated 255 total parcels within the project limits with approximately 37 parcels requiring property strip takes to install the proposed sidewalk. The remaining 218 parcels will not be detailed but will be displayed utilizing Lorain County GIS information. No deed research will be performed for the 218 parcels that are not impacted. Right-of-way plans will be developed using ODOT Standards covering the entire project corridor with only those parcels with right-of-way strip takes being detailed. The topographic and boundary information will be provided on the same detail right-of-way sheets throughout the project. Additionally, O.R. Colan will be providing title research and right-of-way assessment (see **Appendix C**.)

### Utility Coordination

Johnson, Mirmiran & Thompson, Inc. (JMT) will be providing Project Management/Administration, QA/QC Task Management and Stage 1/2, Stage 3, and Quantity Review including subsummaries (see **Appendix D**.) JMT will also be providing Subsurface Utility Locating Services (SULS) – if authorized. MSG will contact the One-Call Center and

provide the ODOT District 3 Utilities Coordinator with the appropriate contact information for each utility within the corridor. The plans will include all underground utilities in plan view and appropriate cross section sheets. The proposed sidewalks will be placed to avoid utilities as best as possible. Where this is not possible, the locations will be identified and coordinated with the City of Avon Lake and the ODOT District 3 Utility Coordinator.

### Geotechnical

The design of the four PHB locations require that geotechnical exploration services and an exploration report be developed. Additional details for this work can be found in **Appendix E**.

### Environmental and NEPA Investigation

- Regulated Materials Review (RMR) Screening – A RMR Screening will be conducted at the Low-Level of Effort - with a maximum of four (4) Regulatory File Review during the screening. No field review will be conducted during the RMR Screening.
- Level 1 Ecological Survey Report – A Level 1 Ecological Survey Report will be completed at the Low-Level of Effort for the project corridor. Effort includes one day of fieldwork for two MSG personnel with travel time, and mileage.
- Property Owner Notification Letter (PONL) – A PONL will be prepared for City of Avon Lake to mail to all property owners within the project limits. The PONL will inform property owners of the project, the need to conduct survey and environmental ingestions, and solicit any public feedback regarding the project. The PONL will used to meet the public engagement requirements for the project.

### Design Deliverables

- Title Sheet – 1 Sheet
- Schematic Plan – 1 Sheet
- Typical Sections – 1 Sheet
- General Notes – 2 Sheets
- MOT Notes – 1 Sheet
- General Summary – 1 Sheet
- Roadway and Drainage Subsummary – 3 Sheets
- Plan sheets with sidewalk, curb ramp details, pavement marking details – 55 sheets
- Subsummary sheets with curb ramp quantities – 3 sheets
- Cross Sections – preliminary for utilities, drainage, grading and work limits – 150 Sheets
- Pavement Marking Subsummary – 1 Sheet
- Signal/PHB sheets – 2 Sheets
- Intersection Details – 17 Sheets
- Right-of-Way:
  - o Legend Sheet – 1 Sheet
  - o Centerline Survey Plat – 2 Sheets
  - o Property Map – 3 Sheets
  - o Summary of Additional Right-of-Way – 11 Sheets
  - o Detailed ROW Plan Sheets – 55 Sheets

## **SCHEDULE**

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From the date of notice to proceed, the anticipated schedule for providing submittals based upon the following schedule:

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|---------------------------------------|--------------------|
| - Authorization:                      | May 2024           |
| - Preliminary Right-of-Way Plans:     | September 13, 2024 |
| - Stage 2 Submitted:                  | November 8, 2024   |
| - Final R/W Plans Submitted:          | May 2, 2025        |
| - Local-Let PS&E Package to District: | August 22, 2026    |

## PROJECT FEE

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As justified upon consideration of project specifics, MSG proposes to perform this project on a time and materials, not to exceed fee basis. The not to exceed fee basis means that the project will be charged only for effort actually expended, to a maximum of the total identified below. Fees may be below but not above the project total without prior authorization upon justification to the Client. Fees will be based upon the number of actual hours work by each employee's actual rate with overhead and net fee applied.

The Scope of Work for this project has been detailed above and enables MSG to estimate the work effort required to complete each task. Based upon the project scope identified above, MSG proposes to complete this project for the following amount:

<b>Base Project Fee .....</b>	<b>\$468,219.35</b>
<b>"If Authorized" Project Fee .....</b>	<b>\$18,459.65</b>
<b>Total Project Fee.....</b>	<b>\$486,679.00</b>

For the purposes of fiscal control, MSG will notify you at such time as it becomes apparent that costs may exceed the estimated amount and will seek your approval to proceed. We agree that reasonable variation to the work to be performed may be made, but reserve the right to renegotiate the above amounts should significant variation be requested.

A fee proposal worksheet in ODOT format for both the survey and geotechnical scopes of work has been provided in **Appendix A**. Additional details are provided in the scope narrative as part of the proposal worksheet.

## AGREEMENT

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The costs provided in this proposal are confirmed for a period not to exceed sixty (60) days. If this proposal meets with your approval, please forward your agreement terms at your convenience for review, approval, and signature.

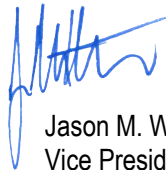
MSG appreciates the opportunity to provide this proposal and looks forward to serving The City of Avon Lake. Please do not hesitate to contact the undersigned if you have any questions, require clarifications pertaining to the specifics of this proposal, or would like additional information.

Thank you for the opportunity. Should you have any questions pertaining to this proposal, please contact me directly at 440-708-6891 or via email at [jwatson@manniksmithgroup.com](mailto:jwatson@manniksmithgroup.com).

Sincerely,



Sheri Bokros  
Vice President | Principal



Jason M. Watson, PE  
Vice President

**AGREEMENT FOR SERVICES**

By execution of this Agreement, the Client authorizes The Mannik & Smith Group, Inc. to provide the services described within the proposal designated below according to the attached Terms and Conditions. In the event client directs The Mannik & Smith Group to proceed with the work, even if not signed below, the Terms and Conditions are considered accepted by the Client.

No terms or conditions other than those stated within the attached, and no agreement or understanding oral or written, in any way purporting to modify these terms and conditions whether contained in Client's purchase order or elsewhere, shall be binding on MSG and its subcontractors unless hereafter made in writing and signed by an authorized representative of MSG. All proposals, negotiations, and representations, if any, made prior to, and referenced hereto, are merged herein.

**APPROVAL AND ACCEPTANCE**

The Mannik & Smith Group, Inc. is hereby directed and authorized to proceed with the services for the designated project in accordance with the provisions of this Agreement.


**Proposal Date:** April 18, 2024

**Proposal Number:** 401.2301692.OP0

**CITY OF AVON LAKE**

**THE MANNIK & SMITH GROUP, INC.**

/s/ Mark A. Spaetzel  
Signature

  
Signature

Mark A. Spaetzel  
Name (Printed)

Jason Watson, PE  
Name (Printed)

Mayor  
Title

Vice President  
Title

5-29-2024  
Date

April 17, 2024  
Date