

Ordinance No.549-2025

Desk copy prepared for
June 2, 2025 meeting

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to enter into an amendment to Contract No. CT 0103 PS 2021*0248 with Osborn Engineering to provide additional services relating to the North Coast Connector Project aka the Lakefront Pedestrian Bridge Connector to the Lakefront and other associated infrastructure.

WHEREAS, under Ordinance No. 683-2021, passed September 27, 2021, as amended by Ordinance No. 581-2024, passed June 4, 2024, and Ordinance No. 744-2024, passed August 7, 2024, this Council authorized the Director of Capital Projects to enter into various contracts for professional services, public improvements, design-build contracts, funding, right-of-way acquisition including, but not limited to, one or more contracts with Osborn Engineering Company ("Osborn") for professional services necessary for traffic modeling and preliminary engineering, and other contracts necessary to implement the North Coast Connector Project aka the Lakefront Pedestrian Bridge Connector to the Lakefront and other associated infrastructure (the "Project"); and

WHEREAS, under Ordinance No. 683-2021, the Director of Capital Projects entered into Contract No. CT 0103 PS 2021*0248 with Osborn for traffic modeling and preliminary engineering services, which including a feasibility study and an alternative assessment for the Project (the "Osborn Contract"); and

WHEREAS, the City requires additional continuing services from Osborn Engineering necessary to complete the traffic modeling and preliminary engineering services for the Project and to advance the City's preferred alternative for the Project; and

WHEREAS, Osborn has proposed by its February 3, 2025 letter and Scope of Services ("Proposal") to perform the necessary additional continuing services; and

WHEREAS, the City desires to modify the Osborn Contract to obtain the above-described additional continuing services; and

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

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BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Capital Projects is authorized to enter into a Fourth Modification to the Osborn Contract, substantially on the basis of Osborn’s Proposal, to continue Osborn’s traffic modeling and preliminary engineering services necessary for the Project and for additional services needed to advance the City’s preferred alternative for the Project. The additional services are needed from Osborn Engineering to receive the Ohio Department of Transportation’s and the Federal Highway Administration’s approvals of an Alternatives Evaluation Report, to assist the City in preparing a design-build Request for Qualifications (“RFQ”) package, and to assist the City in identifying future needs to complete the Project. All other terms and conditions of the Osborn Contract not expressly modified by the Fourth Modification shall remain unchanged and in full force and effect.

Section 2. That the Director of Capital Projects is authorized to enter into one or more grant agreements necessary to receive federal funds, previously applied for and accepted under the authority of Ordinance No. 683-2021, for the Infrastructure for Rebuilding America (INFRA) grant in the amount of Sixty Million (\$60,000,000) and the Reconnecting Communities Pilot Program grant in the amount of Seventy Million (70,000,000), both administered by U.S. Department of Transportation, to study, design, and construct the Project.

Section 3. That the Fourth Modification authorized above shall be prepared by the Director of Law and shall contain such additional provisions as the Director determines protect and benefit the City’s interest.

Section 4. That the costs of the additional continuing services to be performed by Osborn under the Fourth Modification shall not exceed Five Million (\$5,000,000) and shall be paid from the fund or funds to which are credited any gift, grant, or other

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funds received under Ordinance No. 683-2021, as amended, cash matches and cash contributions accepted and appropriated under Ordinance No. 683-2021, as amended; ~~Fund Nos. 20 SF 568, 20 SF 574, 20 SF 579, 20 SF 586, 20 SF 592, 20 SF 597, 20 SF 702, and any other funds approved by the Director of Finance, including future bond funds if issued for this purpose.~~ . No other funding source shall be used without legislative authority. (RQS 0103, RLA 2021-52)

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the 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.

JBM:nl
4-14-25

FOR: Director DeRosa

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REPORT
after second Reading

By

and referred to

READ FIRST TIME

REPORTS

by the council

CITY CLERK

by the council

READ SECOND TIME

CITY CLERK

by the council

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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