

Ordinance No.1072-2025

AN EMERGENCY ORDINANCE

To amend the fourth whereas clause and Sections 1, 3 and 4 of Ordinance No. 549-2025, passed June 2, 2025, relating to an amendment to a contract with The Osborn Engineering Company to provide additional services relating to the North Coast Connector Project aka the Lakefront Pedestrian Bridge Connector.

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

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

Section 1. That the fourth whereas clause and Sections 1, 3 and 4 of Ordinance No. 549-2025 passed June 2, 2025, are amended to read as follows:

WHEREAS, Osborn has proposed by its ~~February 3,~~ July 23, 2025, letter and Scope of Services ("Proposal") to perform the necessary additional continuing services; and

Section 1. That the Director of Capital Projects is authorized to enter into a ~~Fourth Modification~~ Second Amendment 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 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 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~~ Second Amendment shall remain unchanged and in full force and effect.

Section 3. That the ~~Fourth Modification~~ Second Amendment 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~~ Second Amendment shall ~~not exceed Five Million Dollars (\$5,000,000)~~ Four Million Five Hundred Thousand Dollars (\$4,500,000) and shall be paid from the fund or funds to ~~not exceed Five Million Dollars (\$5,000,000)~~ not exceed Five Million Dollars (\$5,000,000) and shall be paid from the fund or funds to which are credited any gift, grant, or other funds received under Ordinance No. 683-2021, as amended, cash matches and cash contributions accepted and appropriated under Ordinance No. 683-2021, as amended, ~~cash matches and cash contributions accepted and appropriated under Ordinance No. 683-2021, as amended.~~ No other funding source shall be used without legislative authority. (RQS 0103, RLA 2021-52)

Section 2. That the existing fourth whereas clause and Sections 1, 3 and 4 of Ordinance No. 549-2025 passed June 2, 2025, are repealed.

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Section 3. 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
9-15-25

FOR: Director DeRosa

Ord. No.

REPORT
after second Reading

Mr.

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READ FIRST TIME

and referred to

by the council

CITY CLERK

READ SECOND TIME

by the council

CITY CLERK

READ THIRD TIME

by the council

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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