

**VILLAGE OF YELLOW SPRINGS, OHIO
RESOLUTION #2007-37**

Whereas, the Village has entered into an agreement with Community Resources, a non-profit organization in Yellow Springs dedicated to improving local economic conditions, to complete grant funded infrastructure improvements at the Center for Business and Education, and,

Whereas, the Village has received funds and documentation to satisfy the local matching requirements for the US Army Corps of Engineers section 503 grant funding program, from Community Resources, and,

Whereas, the Village has entered into a project cooperation agreement with the US Army Corps of Engineers to receive grant funds for the Center for Business and Education project on a matching reimbursable basis, and,

Whereas, the Village of Yellow Springs requires consulting assistance to meet the terms and conditions of the project cooperation agreement with the US Army Corps of Engineers, and,

Whereas, the Village has completed a qualifications based selection process to find a firm with suitable qualifications, experience and knowledge to serve as the Village's representative for the Center for Business and Education project

NOW, THEREFORE, THE COUNCIL OF THE VILLAGE OF YELLOW SPRINGS, OHIO HEREBY RESOLVES THAT:

Section 1: Eggeman Engineering and Consulting, LLC of Springfield, Ohio is hereby selected based on a qualifications based process to serve as the Village's representative for the US Army Corps Infrastructure Grant for the Center for Business and Education.

Section 2: The Village Manager is authorized to enter into an agreement not to exceed \$22,500 with Eggeman Engineering and Consulting, LLC of Springfield, Ohio to serve as the Village's representative. This work shall be funded with local fund deposited by Community Resources and matching US Army Corps of Engineers funding using the Capital Projects Sewer budget.

Karen Wintrow, Vice President

Passed:

Attest: _____
Deborah Benning, Clerk

ROLL CALL:

Wintrow _____ Rickenbach _____ Hempfling _____
Chase _____ Van der Heiden _____

Council Meeting Date:

Agenda Item:

Village Council Agenda Item

Village of Yellow Springs, Ohio

Agenda Title: Consideration of Resolution 2007-37 Selecting Eggeman Engineering and Consulting, LLC to serve as owner's representative for construction administration for the Center for Business and Education – US Army Corps of Engineers Contract and authorizing the Village Manager to enter into an agreement not to exceed \$22,500 for project and contract management services.

Presenter: Eric C. Swansen, Village Manager

Problem/Issue Statement

The Village needs to promote primary job growth, arresting the decline of population and tax base that provide funding for essential Village services.

As part of solving the problem, the Village has entered into an agreement with Community Resources to construct grant-funded infrastructure improvements at the Center for Business and Education. Due to the temporary nature of this work, it is best suited to use a grant-funded consultant to complete this work.

Financial Impact

There is no direct fiscal impact to the Village for this contract, although there is some indirect effort (staff time) the Village puts forward to manage this contract, obtain reimbursements, and provide leadership for this project that can't be quantified at this time.

Recommendation

The Village Manager recommends approval of the attached resolution.

Introduction

In April, the Village entered into an agreement with Community Resources to complete construction of the Center for Business and Education using a combination of donated cash from Community Resources and grant funds allocated from the US Army Corps of Engineers.

On August 21st, the Village received approval from the US Army Corps of Engineers to proceed with this project when the Army Corp issued a Finding of No Significant Impact (FONSI) for the National Environmental Policy Act (NEPA) determination. This clears the way for the Village to construct this project.

In August, the Village also requested submissions from qualified consultants to serve as the Village's representative in managing the design and construction of the Army Corps grant. The Village received two submissions from firms.

Staff reviewed the submissions and is recommending the selection of Eggeman Engineering and Consulting of Springfield to perform this work. This recommendation is based upon the experience working on similar grant funded road, storm water, sewer and water projects in our area. Staff thinks Eggeman's expertise in roadwork will be especially important, as this project will have two phases – a water/sewer phase and a streets/storm water phase. Due to availability of funds and timing issues with NEPA determinations, the Army Corp grant is running a year ahead of the road grant, so we will need to plan the water and sewer to complement a future road/storm water phase.

The other firm that submitted a proposal is Hyden Consulting from Springfield. Hyden was not recommended due to lack experience with similar infrastructure only projects and this grant process. Hyden has expertise in building projects that involve infrastructure, which could be very valuable in the future if a firm is interested in locating at the Center for Business and Education. Staff has discussed ways of keeping this expertise ready, just in case we find a prospective employer is interested in locating on the site, as a resources to them.

To complete this phase of the work, a contract not to exceed \$22,500 (about 5% of the local portion of the budget) will need to be authorized. This work will consist of completing a qualifications-based design selection process, engaging a design firm, completing design, bidding the project and monitoring construction. In all phases the work will consist of managing records for the project, submitting reimbursements for the work, managing retrainage accounts, payroll records, materials and supplies and other records to comply with Federal contracting rules.

Alternatives Analysis

The Village could elect to perform this work in house. This would require the creation of a new position and finding additional funding sources. Such a position might not be sustainable, as once this work is completed, the funding would dry up. In essence, we have one-time funding and would have an on-going position being kept on afterwards or eliminated shortly thereafter.

Recommendation

The Village Manager recommends approval of the attached resolution.

Approved by: