



January 6, 2022

TO: Council President  
City Council Members

FROM: Jeff Baumann, Public Works Director

CC: Council Appointees

THROUGH: Rob Hillard, City Manager

SUBJECT: Johnston Path Improvement Project

### **Purpose and Recommendation**

The Public Works Department has developed plans and specifications for improvements to the Johnston Path in and through Wright Park to the intersection of South Professor and Morgan streets. Bids were opened on Tuesday, December 21<sup>st</sup>. We recommend that City Council award this contract to the lowest and best bidder, RMH Concrete & Foundations, Inc. of Collins, Ohio in the not-to-exceed amount of \$189,929.50.

### **Background and Discussion**

This project has a decades long history - though it has only been actively on my 'drawing board' for 10 years or so.

Adelia Field Johnston graduated from the Ladies Course at Oberlin College in 1856. In 1870, she became its first female faculty member. Over the next 35 years, she held numerous positions with Oberlin College, including Dean of Women. In 1903, she founded the Oberlin Village Improvement Society, modeled on the principles of the City Beautiful movement. She led the community in successful efforts to clean up Plum Creek and to acquire property to build a series of public parks along the creek. The Johnston Path between Wright Park and the intersection of Morgan and South Professor streets, was originally constructed under the auspices of the Oberlin Village Improvement Society in 1930 and named in her honor. *(excerpted from the City's GEF Application)*

Fast forward several decades. For the first few years of my advocacy, I had been trying to convince former College Architect Steve Varelmann and former OC Grounds Manager Dennis Greive to partner on a joint project to rebuild the Johnston Path. This culminated in October, 2016 with a letter of intent to the Lorain County General Health District to apply for a \$50,000 'Healthy Places, Healthy People' grant to (in theory) subsidize both the City's and the College's contribution towards this improvement. When it came time to commit, however, we were unable to convince former OC VP for Finance Mike Frandsen to support it and the application faltered.

The concept, however, did not lose traction - in part due to the Open Space and Visual Environment Commission's continuing advocacy, resulting in City Council's adoption of Resolution R17-12 formally designating the 'Plum Creek Greenway'. In June, 2018, former OC community liaison Tita Reed approached the City about the possibility of donating the College's four parcels to the City. Planning Director Carrie Handy subsequently managed surveying and re-platting the College's property to create a 1.196 acre parcel along Plum Creek and a 0.2387 acre parcel at the intersection of Morgan and South Professor. The College has retained ownership of the <1/4 acre parcel including the General Shurtleff statue. I still have Law Director Jon Clark's voice message from March 9, 2021 confirming (at last) that the property transfer had closed (!) and the City now had site control necessary to improve the path.

Late in 2019, I prepared a grant application to Oberlin College's Green Edge Fund for almost \$24,000. As the GEF Board considered the project, COVID-19 struck and the board determined to defer funding in favor of other projects which they felt had greater community impact. Undeterred, I applied again in late 2020. The application went through three iterations before it was approved by the GEF Board in December, 2020 in the amount of \$16,132.40 to include a path lighting system and interpretive/educational signage.

In order to develop the design, we had a topographical survey prepared in the late spring. In July City Engineer Randall Roberts, Engineering Technician Jordan Irvin and I walked the site extensively to further refine the scope of work including:

- Point of connection details to the surrounding sidewalk grid on South Main, West Vine, South Professor and the footpath to Shurtleff B&B.
- Path alignment in regard to adjoining features including existing benches, the Soldiers Monument, Plum Creek, significant trees, the bridge and the proposed lighting system.
- Evaluation of the bridge. The steel I-beams were found to have significant rust including some locations rusted through the truss web, compromising its structural integrity.

As a result of this inspection Public Works highly recommends replacing the bridge entirely. Randall and Jordan proceeded to research pre-fabricated structures and to adapt the project specifications and drawings accordingly to include demolition of the existing bridge and installation of a new aluminum pedestrian bridge.

This project was first put out to bid during the month of November with a goal of asking City Council to award at its December 6<sup>th</sup> meeting. We received three bids ranging in price from \$193,111.10 to \$211,219. However, all bids exceeded the City Engineer's cost estimate of \$166,157 by more than 10% and, per Ohio Revised Code 153.12, could not be accepted. Randall revisited his cost estimate based on the unit prices of the three bidders and further taking into account the constraints of working along this narrow site adjacent to Plum Creek. We put the project back out to bid with a revised cost estimate of \$217,689. At the bid opening on December 21<sup>st</sup>, we received 4 bids summarized below:

<b>Bidder</b>	<b>Amount</b>
RMH Concrete & Foundations	\$189,929.50
Eclipse Company	\$213,528.35
Senghas Construction	\$197,111.10
Schirmer Construction	\$194,679.00

In reviewing the bids, Randall found that Eclipse Company had made a significant error. Correcting their bid in accordance with bidding terms and conditions reduces their bid to \$190,660.23 – almost but not quite enough to tip the bidding order. Senghas Construction is the only Lorain County bidder. Application of the 2% local preference bid discount reduces their effective bid to \$193,168.88 but not enough to displace RMH Concrete as the low bidder.

The Public Works Department has worked extensively with RMH Concrete in the past, typically as a sub-contractor to the prime contractor. Most recently they did the storm sewer work, sidewalk/crosswalk, curb and bike path work for Crossroads Asphalt on last year's Park/Grafton St. Improvement Project. We have a good working relationship with RMH and we're confident they'll do a good job.

### **Fiscal Impact**

In 2021, the City budgeted \$106,100 for this project based on the preliminary cost estimate and before we knew that it was necessary to replace the bridge. The initial bid was both unsuccessful and opened after the 2022 budget had been substantially completed. The subsequent bid opening on December 21<sup>st</sup> came too late to award the project in 2021. As a result, this project has not been budgeted in 2022. Funding budgeted in 2021 will remain unspent and is part of the 2022 anticipated balance forward within the Income Tax Capital Improvement Fund.

To make funds available to award this project, the City Administration proposes to postpone two small path projects (Bike Path to Spring/Groveland intersection and resurfacing the paths at the Recreation Complex) budgeted in the combined amount of \$64,500. On a temporary basis, we'll process a line item transfer from the Income Tax/Street Improvements line item to the Income Tax/Park Improvements line item to make up the difference. A budget adjustment to increase appropriations based on the unspent funding in 2021 will subsequently be prepared to make the Street Improvements line item whole.

### **Consultation**

Although I sent a letter describing the project to the adjoining property owners on April 7<sup>th</sup>, I have received no feedback to date. I called Marsha Marsh, the owner of Shurtleff Cottage B&B, as she is most directly affected. She and I have previously discussed path re-development both in the context of the property transfer and the planned improvements. She supports the project.

Due to the project's proximity to the Soldiers Monument, Randall and I met with Steve Johnson, an Oberlin resident and US Army veteran active in a local chapter of the VFW to keep this important stakeholder group apprised. Steve is also supportive of our plans.

I have contracted with the Oberlin Heritage Center for research assistance in pulling together historical information about the development of Oberlin's parkways along Plum Creek. I've been in semi-regular communication with OHC Director Liz Schultz who has overseen research conducted by Jen Graham (OC, 2012) in drafting a report "*A River Runs Through It: Plum Creek and the History of Oberlin, Ohio*" on the history of the City's park system along Plum Creek. This work is expected to form the basis for interpretive signage along the Plum Creek Greenway.

I have submitted quarterly reports to the Green Edge Fund board in accordance with the terms of their grant award. I've kept the OSVEC apprised of project status throughout the years.

I'd like to thank City Engineer Randall Roberts and Engineering Tech Jordan Irvin for their design work and also OMLPS Distribution Superintendent Guy Greszler for coordinating the lighting installation with Randall and Jordan.

Administrative Coordinator Diane Ramos has reviewed the EEO submittals from each bidder, please see attached. Authorizing legislation has been forwarded to Law Director Jon Clark for review and approval.

### **Conclusion**

The Public Works Department recommends that City Council accept the bid of RMH Concrete & Foundations, Inc. of Collins, OH in the amount of \$189,929.50. There is a long lead time on bridge fabrication and delivery and, as a result, we further request that this contract be awarded on an emergency basis at the January 18, 2022 City Council meeting *“to accept the bid within the time limitations provided by law”*.