

**FAIRFIELD CITY COUNCIL  
REGULAR MEETING AGENDA  
FAIRFIELD MUNICIPAL BUILDING  
5350 PLEASANT AVENUE  
FAIRFIELD, OHIO 45014**

**Monday, August 10, 2015**

**7:00 PM**

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MAYOR.....STEVE MILLER  
COUNCILMEMBER 1<sup>ST</sup> WARD.....ADAM B. JONES  
COUNCILMEMBER 2<sup>ND</sup> WARD.....MARTY JUDD  
COUNCILMEMBER 3<sup>RD</sup> WARD.....DEBBIE PENNINGTON  
COUNCILMEMBER 4<sup>TH</sup> WARD.....TERRY SENGER

COUNCILMEMBER AT-LARGE...CHAD OBERSON  
COUNCILMEMBER AT-LARGE...MIKE SNYDER  
COUNCILMEMBER AT-LARGE...BILL WOESTE  
CITY MANAGER.....MARK WENDLING  
CLERK OF COUNCIL.....ALISHA WILSON  
LAW DIRECTOR.....JOHN H. CLEMMONS

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Guidelines for Citizen Comments: Thank you for your interest and participation in city government. Fairfield City Council's Guidelines for Citizen Comments describe the rules for addressing City Council. The guidelines are posted in the Council Chambers.

ADA Notice: The City of Fairfield is pleased to provide accommodations to disabled individuals or groups and encourage full participation in city government. Should special accommodations be required, please contact the Clerk of Council at 867-5383 at least 48 hours in advance of the meeting.

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1. **Call to Order**
2. **Prayer/Pledge of Allegiance**
3. **Roll Call**
4. **Agenda Modifications**
5. **Executive Session Requests**
6. **Special Presentations and Citizen Comments**
7. **Public Hearing(s)**
8. **Mayor/Council Reports**
9. **Approval of Minutes**
  - a) Regular Meeting Minutes of July 13, 2015

10. **OLD BUSINESS**

11. **NEW BUSINESS**

- (A) **PUBLIC SAFETY COMMITTEE**  
**Adam Jones, Chairman**; Marty Judd, Vice Chairman, Terry Senger, Member

- (1) Ordinance to authorize the City Manager to enter into a contract with FARO Technologies, Inc. for the purchase of a Focus3D X130 Laser Scanning System, including applicable licensing, software, training and accessories.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

(B) **PUBLIC UTILITIES COMMITTEE**

**Marty Judd, Chairman;** Chad Oberson, Vice Chairman, Adam Jones, Member

- (1) Ordinance to authorize the City Manager to enter into a contract with InsituForm Technologies, LLC for inversion re-lining of sanitary sewer lines.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

(C) **DEVELOPMENT SERVICES COMMITTEE**

**Bill Woeste, Chairman;** Adam Jones, Vice Chairman, Mike Snyder, Member

- (1) Ordinance to amend Chapters 1159, 1165 and 1168 of the Zoning Code of Ordinance No. 166-84, the Codified Ordinances of Fairfield, Ohio relative to definitions and principal permitted and conditional uses in the C-2 Central Business District, C-3 General Business District, C-3A General Business District Modified, and D-1 Downtown, Zoning Districts.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Set Public Hearing Date for September 14, 2015

- (2) Ordinance to authorize the Building Superintendent to waive building permit fees related to a new building construction project for BCS Technologies, LTD for a site on Tedia Way and declaring an emergency.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

(D) **PUBLIC WORKS COMMITTEE**

**Chad Oberson, Chairman;** Mike Snyder, Vice Chairman, Bill Woeste, Member

- (1) Ordinance to declare eleven (11) city motor vehicles and equipment as surplus and authorize the City Manager to sell the motor vehicles and equipment on GovDeals.com.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

- (2) Ordinance to authorize the City Manager to execute a grant application with Ohio Public Works Commission (OPWC) for the Symmes Road Improvements and Seward Road Improvements Projects and declaring an emergency.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

- (3) Ordinance to authorize the City Manager to execute a Local Public Agency (LPA) Agreement with Ohio Department of Transportation (ODOT) for the BUT-Fairfield ITS Phase 2 Project and declaring an emergency.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading

- Motion – Suspend Second and Third Readings
  - Motion – Adoption
- (4) Ordinance to authorize the City Manager to enter into a contract with R.A. Miller Construction Co. Inc. for the replacement of existing curb ramps in the Shearwater, Chesapeake and LaForge vicinity and declaring an emergency.
- Motion – Read by Title Only (Optional)
  - Ordinance – First Reading
  - Motion – Suspend Second and Third Readings
  - Motion – Adoption

(E)

**FINANCE & BUDGET COMMITTEE**

**Terry Senger, Chairman;** Debbie Pennington, Vice Chairman, Chad Oberson, Member

- (1) Ordinance adopting an updated service delivery (organizational) chart of the City of Fairfield, Ohio and declaring an emergency.
- Motion – Read by Title Only (Optional)
  - Ordinance – First Reading
  - Motion – Suspend Second and Third Readings
  - Motion – Adoption
- (2) Ordinance to amend Ordinance No. 109-14 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2015, and ending December 31, 2015.”

\*Contractual Appropriations - \$87,000 for the purchase of a Focus3D X130 Laser Scanning System, including applicable licensing, software, training and accessories; \$170,000 for inversion re-lining of sanitary sewer lines; \$88,000 for replacement of existing curb ramps in Shearwater, Chesapeake and LaForge vicinity.

- Motion – Read by Title Only (Optional)
  - Ordinance – First Reading
  - Motion – Suspend Second and Third Readings
  - Motion – Adoption
- (3) Ordinance to amend Ordinance No. 109-14 entitled “An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2015, and ending December 31, 2015.”

\*Non-Contractual Appropriations - \$15,000 for purchase of fire hydrants; \$16,500 for replacement of twenty-eight (28) outdoor lighting fixtures at Water Treatment Plant; \$7,000 for replacement of 110-foot section of security fence between Water Treatment Plant and Waterworks Park and addition of approximately 200 feet of new security fence between the Water Treatment Plant and Pleasant Run Creek; \$30,000 for asphalt and pavement repairs and improvements at Water Treatment Plant; \$30,000 for engineering, bidding and construction administrative support services as related to water main replacement work on Pleasant Avenue; \$30,000 for installation of public sanitary sewer force main at Gray Road; \$22,575 for purchase and installation of four (4) video camera units for police vehicles; \$22,575 for purchase and installation of four (4) video camera units for police vehicles.

- Motion – Read by Title Only (Optional)
- Ordinance – First Reading
- Motion – Suspend Second and Third Readings
- Motion – Adoption

**12. Meeting Schedule**

Monday, September 14	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Monday, September 28	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
Tuesday, October 13	Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

**13. Executive Session of Council (if needed)**

**14. Adjournment**

**AGENDA**

**COUNCIL-MANAGER BRIEFING  
FAIRFIELD MUNICIPAL BUILDING  
5350 PLEASANT AVENUE**

**MONDAY, AUGUST 10, 2015  
6:00 P.M.**

1. Public Utilities Update                      Adam Sackenheim

MINUTES  
REGULAR MEETING OF COUNCIL  
JULY 13, 2015

**Call to Order**

Mayor Steve Miller called the Regular Meeting of Council to order at 7:00 PM at the Fairfield Municipal Building, 5350 Pleasant Avenue.

**Prayer/Pledge of Allegiance**

Mayor Miller led in prayer and Pledge of Allegiance.

**Roll Call**

Clerk Wilson called the roll of Council. Present members were Councilmember Adam Jones, Councilmember Marty Judd, Councilmember Debbie Pennington, Councilmember Chad Oberson, and Councilmember Bill Woeste.

Councilmember Pennington, seconded by Councilmember Jones, moved to excuse Councilmember Senger and Snyder. Motion carried 5-0.

**Agenda Modifications**

Councilmember Judd, seconded by Councilmember Pennington, moved for an agenda modification to remove item 11(B)(1) and the corresponding appropriation. Motion carried 5-0.

**Executive Session Requests**

No Executive Session requests.

**Special Presentations and Citizen Comments**

**Hero's Ride Presentation - Bill Meyer**

Bill Meyer addressed Council regarding the Hero's Ride, which will be held on Saturday, August 22 at Village Green Park. He thanked the city for their support of the event, which raises money for support for veterans returning from overseas, and invited anyone interested to attend the event.

**Public Hearing(s)**

**2016 Tax Budget Hearing**

Mayor Miller opened the public hearing at 7:10 PM. Clerk Wilson read the public meeting notice. Finance Director Hopton explained the 2016 Tax Budget. The public hearing closed at 7:13 PM.

**Mayor/Council Reports**

Councilmember Woeste reported that the Fairfield City School District will have a full-service school clinic, opening as early as November, in the Fairfield Academy on Donald Drive. He also thanked the Hero's Ride organization for all of their efforts.

Councilmember Oberson reported on road improvements and sidewalk repairs that are on-going.

Councilmember Pennington thanked the city staff for their hard work on the Red, White and Kaboom event. She also announced Sunbonnet Days on August 1 and 2 at Elisha Morgan Mansion.

Councilmember Judd thanked the Hero's Ride organization for their work on the event and their help to military veterans.

Councilmember Jones reported that the Fire Department received a grant, which will cover the cost of the purchase of power cots on the agenda this evening, and will greatly reduce the risk of injury related to lifting cots. The grant will also cover new thermal imaging cameras and some training for the department.

### **Approval of Minutes**

Regular Meeting Minutes of June 8, 2015

- The Regular Meeting Minutes of June 8, 2015 were approved as written

### **OLD BUSINESS**

#### **PUBLIC UTILITIES COMMITTEE**

**Marty Judd, Chairman; Chad Oberson, Vice Chairman, Adam Jones, Member**

Ordinance to authorize the City Manager to enter into a five (5) year contract with Polydyne, Inc. for the purchase of polymers for use at the Wastewater Treatment Plant.

Legislative Action: Councilmember Judd presented the second reading of this ordinance.

Councilmember Marty Judd, seconded by Councilmember Debbie Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Marty Judd, seconded by Councilmember Chad Oberson moved to adopt. Motion Carried 5-0. ORDINANCE NO. 58-15. APPROVED 5-0.

### **NEW BUSINESS**

#### **PUBLIC SAFETY COMMITTEE**

**Adam Jones, Chairman; Marty Judd, Vice Chairman, Terry Senger, Member**

Simple Motion: Motion to not request a hearing regarding a liquor permit application in the name of Kroger Limited Partnership I LP dba Kroger #939, 560 Wessel Drive, Fairfield, OH 45014. (Permit Classes: D2 & D3)

Councilmember Jones, seconded by Councilmember Pennington, moved to not request a hearing for a liquor permit in the name of Kroger Limited Partnership I LP. Motion carried 5-0. SIMPLE MOTION NO. 6-15. APPROVED 5-0.

Ordinance to authorize the City Manager to enter into an agreement with Medicount Management for EMS billing services and declaring an emergency.

Councilmember Adam Jones, seconded by Councilmember Chad Oberson moved to read the following ordinance by title only. Motion Carried 5-0.

Background: City Manager Wendling recommended an agreement with Medicount Management for EMS billing services. Legislative Action: Councilmember Jones presented the first reading of this ordinance.

Councilmember Adam Jones, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Adam Jones, seconded by Councilmember Bill Woeste moved to adopt. Motion Carried 5-0. ORDINANCE NO. 59-15. APPROVED 5-0.

Ordinance to authorize the City Manager to enter into a contract with Ferno EMS for the purchase of three (3) power iNX Cots and related equipment and declaring an emergency.

Councilmember Adam Jones, seconded by Councilmember Bill Woeste moved to read the following ordinance by title only. Motion Carried 5-0.

Background: City Manager Wendling recommended a contract for the purchase of power cots and related equipment. This equipment will reduce the need for medics to lift a patient, and help reduce injuries related to lifting the cots. Legislative Action: Councilmember Jones presented the first reading of this ordinance.

Councilmember Adam Jones, seconded by Councilmember Chad Oberson moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Adam Jones, seconded by Councilmember Debbie Pennington moved to adopt. Motion Carried 5-0. ORDINANCE NO. 60-15. APPROVED 5-0.

#### **DEVELOPMENT SERVICES COMMITTEE**

**Bill Woeste, Chairman; Adam Jones, Vice Chairman, Mike Snyder, Member**

Councilmember Bill Woeste, seconded by Councilmember Adam Jones moved to read the following ordinances by title only. Motion Carried 5-0.

Ordinance to authorize the Building Superintendent to waive permit fees related to a building renovation project for OCS IntelliTrak, Inc. at 8660 Seward Road and declaring an emergency.

Background: City Manager Wendling recommended an ordinance to waive permit fees for a building renovation at OCS IntelliTrak, Inc. Legislative Action: Councilmember Woeste presented the first reading of this ordinance.

Councilmember Bill Woeste, seconded by Councilmember Chad Oberson moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Bill Woeste, seconded by Councilmember Chad Oberson moved to adopt. Motion Carried 5-0. ORDINANCE NO. 61-15. APPROVED 5-0.

Ordinance to authorize the City Manager to execute a Community Reinvestment Area Agreement and a Community Reinvestment Area Compensation Agreement, which will provide property tax incentives for Alba Manufacturing, Inc., Angus Properties LLC and TNI Properties LLC, for the construction of an addition to an office and manufacturing facility on Seward Road and declaring an emergency.

Background: City Manager Wendling recommended agreements for property tax incentives for Alba Manufacturing for the construction of an addition to an office and manufacturing facility. Legislative Action: Councilmember Woeste presented the first reading of this ordinance.

Councilmember Bill Woeste, seconded by Councilmember Debbie Pennington moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Bill Woeste, seconded by Councilmember Adam Jones moved to adopt. Motion Carried 5-0. ORDINANCE NO. 62-15. APPROVED 5-0.

#### **PUBLIC WORKS COMMITTEE**

**Chad Oberson, Chairman; Mike Snyder, Vice Chairman, Bill Woeste, Member**

Councilmember Chad Oberson, seconded by Councilmember Bill Woeste moved to read the following ordinances by title only. Motion Carried 5-0.

Ordinance to authorize the City Manager to enter into an agreement with Ohio Public Works Commission (OPWC) for the grant to fund a portion of the 2015 Nilles - Gray Improvements Project and declaring an emergency.

Background: City Manager Wendling recommended a grant agreement with OPWC for the Nilles-Gray Improvements Project. Legislative Action: Councilmember Oberson presented the first reading of this ordinance.

Councilmember Chad Oberson, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Chad

Oberson, seconded by Councilmember Debbie Pennington moved to adopt. Motion Carried 5-0.  
ORDINANCE NO. 63-15. APPROVED 5-0.

Ordinance to authorize the City Manager to enter into a contract with John R. Jurgensen for the Nilles - Gray Improvements Project and declaring an emergency.

Background: City Manager Wendling recommended a contract with John R. Jurgensen for the Nilles-Gray Improvements Project. Legislative Action: Councilmember Oberson presented the first reading of this ordinance.

Councilmember Chad Oberson, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Chad Oberson, seconded by Councilmember Bill Woeste moved to adopt. Motion Carried 5-0.  
ORDINANCE NO. 64-15. APPROVED 5-0.

#### **FINANCE & BUDGET COMMITTEE**

**Terry Senger, Chairman; Debbie Pennington, Vice Chairman, Chad Oberson, Member**

Councilmember Debbie Pennington, seconded by Councilmember Marty Judd moved to read the following ordinances and resolution by title only. Motion Carried 5-0.

Ordinance to amend Section 163.05(c) of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio and declaring an emergency.

Background: City Manager Wendling recommended an ordinance to amend Section 163.05(c) of the Codified Ordinances, relative to the employee benefits and the portion of the cost that is paid by the city and the employee. Legislative Action: Councilmember Pennington presented the first reading of this ordinance.

Councilmember Debbie Pennington, seconded by Councilmember Marty Judd moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Debbie Pennington, seconded by Councilmember Marty Judd moved to adopt. Motion Carried 5-0. ORDINANCE NO. 65-15. APPROVED 5-0.

Ordinance levying special assessments for the repair of sidewalks (including aprons) in the City of Fairfield, Ohio and declaring an emergency.

Background: City Manager Wendling recommended an ordinance to levy special assessments for sidewalk repairs. Legislative Action: Councilmember Pennington presented the first reading of this ordinance.

Councilmember Debbie Pennington, seconded by Councilmember Adam Jones moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0.

Councilmember Debbie Pennington, seconded by Councilmember Bill Woeste moved to adopt . Motion Carried 5-0. ORDINANCE NO. 66-15. APPROVED 5-0.

An Ordinance determining to reduce and recertify special assessments levied for the purpose of constructing certain improvements and declaring an emergency.

Background: City Manager Wendling recommended an ordinance to reduce and recertify special assessments at the Cincinnati Mills Mall. Legislative Action: Councilmember Pennington presented the first reading of this ordinance.

Councilmember Debbie Pennington, seconded by Councilmember Adam Jones moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Debbie Pennington, seconded by Councilmember Bill Woeste moved to adopt. Motion Carried 5-0. ORDINANCE NO. 67-15. APPROVED 5-0.

Resolution adopting the tax budget of the City of Fairfield, Ohio, for the fiscal year beginning January 1, 2016 and submitting the same to the Butler County Auditor and declaring an emergency.

Background: City Manager Wendling recommended a resolution to adopt the 2016 Tax Budget as presented in the public hearing. Legislative Action: Councilmember Pennington presented the first reading of this ordinance.

Councilmember Debbie Pennington, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this resolution. Motion Carried 5-0. Councilmember Debbie Pennington, seconded by Councilmember Chad Oberson moved to adopt. Motion Carried 5-0. RESOLUTION NO. 8-15. APPROVED 5-0.

Ordinance to amend Ordinance No. 109-14 entitled "An Ordinance to make estimated appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2015, and ending December 31, 2015."

Background: City Manager Wendling recommended the following contractual appropriations - \$126,417.75 for purchase of three (3) power iNX cots and related equipment and \$1,791,214.00 for the Nilles-Gray Improvements Project. Legislative Action: Councilmember Pennington presented the first reading of this ordinance.

Councilmember Debbie Pennington, seconded by Councilmember Adam Jones moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Debbie Pennington, seconded by Councilmember Adam Jones moved to adopt. Motion Carried 5-0. ORDINANCE NO. 68-15. APPROVED 5-0.

Ordinance to amend Ordinance No. 109-14 entitled "An Ordinance to make estimated

appropriations for the expenses and other expenditures of the City of Fairfield, Ohio, during a period beginning January 1, 2015, and ending December 31, 2015."

Background: City Manager Wendling recommended the following non-contractual appropriations - \$56,350 for design of Vinnedge Road Vicinity Improvements; \$30,000 for purchase of iDrive camera system for Fire Department; \$42,500 for construction of shelter houses at Point Pleasant Park and Waterworks Park; \$12,787 for Lane Library facility repairs; \$29,000 for enhancement and additions of fiber cabling throughout City; \$35,000 for final changes of Pleasant Avenue water main replacement project; \$15,000 for replacement of multi-function printing devices for Public Utilities; \$18,000 for Wastewater Treatment Plant Pump Station Raw Sewage Valve/Check Valve Replacement; \$10,000 for repair/replacement of cart paths within the Fairfield Greens Golf Course facilities. Background: Councilmember Pennington presented the first reading of this ordinance.

Councilmember Debbie Pennington, seconded by Councilmember Bill Woeste moved to suspend the rules requiring three (3) readings of this ordinance. Motion Carried 5-0. Councilmember Debbie Pennington, seconded by Councilmember Chad Oberson moved to adopt. Motion Carried 5-0. ORDINANCE NO. 69-15. APPROVED 5-0.

### **Meeting Schedule**

Clerk Wilson read the following meeting schedule:

- Monday, August 10 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, September 14 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.
- Monday, September 28 Council-Manager Briefing, 6:00 p.m.; Regular Meeting, 7:00 p.m.

### **Executive Session of Council (if needed)**

No Executive Session

### **Adjournment**

The Regular Meeting of Council adjourned at 7:35 PM.

ATTEST:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Mayor's Approval

Date Approved \_\_\_\_\_

**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM: Replacement Crime/Traffic Crash Imaging Equipment**

**August 10, 2015**

The Police Department requests authorization for the City Manager to enter into a contract and the purchase of a Focus3D X130 Laser Scanning System, including applicable licensing, software, training and accessories, from FARO Technologies Inc. in an amount not to exceed \$87,000.

**FINANCIAL IMPACT:**

This purchase will be a one-time expenditure, and purchased through the General Services Administration Contract Number GS-24F-0044M as permitted by ORC 9.48(B)(3)].

**BACKGROUND:**

Since the police department has last upgraded our traffic crash reconstruction equipment, advances in the imaging technology has advanced to the point that the purchase of state-of-the-art equipment is feasible. This equipment will allow the police department to record crime and traffic crash scenes in minute detail with minimal time on the part of staff. A scene that once took many staff hours to record will be completed by one person in minimal time.

**RECOMMENDATION:**

It is recommended that Council authorize the City Manager to enter into a contract with FARO Technologies Inc., 250 Technology Park, Lake Mary FL 32746 at its quoted price of \$86,996, and that Council appropriate \$87,000 from the Law Enforcement Fund (Fund 211) for the purchase of the listed equipment and expenses as described above.

Suspension of rules and adoption is requested so that the purchase can proceed expeditiously.

<b>LEGISLATION ACTION:</b>	Suspension of Rules and Adoption Requested?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
		YES	NO
	Emergency Provision Needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO

Prepared by: Michael J. Dickey, Chief of Police *M. Dickey*  
 Approved for Content by: Michael J. Dickey, Chief of Police  
 Financial Review (where applicable): Mary Hopton, Director of Finance *Mary Hopton*  
 Legal Review (where applicable): John Clemmons, Law Director *John Clemmons*  
 Accepted for Council Agenda: Alisha Wilson, Clerk of Council *Alisha Wilson*

AUTHORIZED FEDERAL SUPPLY SCHEDULE PRICE LIST  
FSC GROUP: 66 FSC CLASSES

SPECIAL ITEM NUMBER 627-1007 – Scientific Equipment and Services

## FARO TECHNOLOGIES, INC

Faro Technologies, Inc  
250 Technology Park  
Lake Mary, FL 32746  
T: 407-333-9911  
F: 407-333-4181  
www.faro.com

Contract Number: GS-24F-0044M  
Period Covered by Contract: July 12, 2012 – July 12, 2017

General Services Administration  
Federal Acquisition Service

**Products and ordering information in this Authorized FSS Information Technology Schedule Pricelist are also available on the GSA Advantage! System. Agencies can browse GSA Advantage! by accessing the Federal Acquisition Service's Home Page via the Internet at <http://www.fss.gsa.gov/>**



FARO Technologies Inc  
 250 Technology Park  
 Lake Mary FL 32746-7115  
 Phone No: (888)660-0147  
 Fax No: (407)562-5286  
 Email: Keith.Luquis@faro.com

**Remit to:**  
 FARO Technologies, Inc.  
 P.O. Box 116908  
 Atlanta, GA 30368-6908

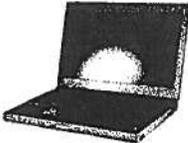
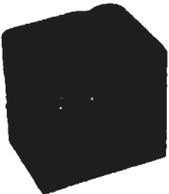
**Quotation No:** 20013904  
**Quote Date:** 05/18/2015  
**Expiration Date:** 06/17/2015  
**Regional Manager:** Kelly Watt  
**Account Manager:** Scott Gershowitz  
**Sales Support:** Keith Luquis  
**Ship:** 2 Day  
**Payment Terms:** Net due in 30 days  
 with approved credit  
**Delivery Terms:** EXW Origin  
**Delivery Date:** 2-6 Weeks

**Bill To :**  
 City of Fairfield  
  
 Fairfield OH 45014  
 US

**Ship To :**  
 City of Fairfield  
 Amy Mays  
  
 Fairfield OH 45014  
 US

Qty	Item No.	Description	Unit Price	Ext. Price
1	S-7-330	 <p>Focus 3D-X330                      Focus3D Laser Scanner X 330.                      Ships with: 1 Focus3D X 330, with                      GPS, compass, altimeter                      (barometer), dual-axis                      compensator and WLAN, 1-Year                      Standard Warranty , 1                      PowerBlock Battery, 1 32GB SD                      Card, 1 SD Card Reader, 1 SD                      Card Cover, 1 Power Dock, 1                      Quick Charge Power Supply, 1                      Car Power Supply, 1 Rugged                      Transport Case with Wheels, 1                      Ruggedized Protection and                      Transport Cover (in aluminum), 1                      Panorama Quick Release, 1                      Optical Cleaning Set, 1 SCENE                      Version 5.N Software License,                      1-year Maintenance Contract for                      SCENE Software, Training.                      Please note: the lead-time may                      take 6 weeks or more after receipt                      of written order.</p>	59,990.00	59,990.00

**PURCHASE AGREEMENT AND CONDITIONS OF SALE** Customer will pay any federal, state and local taxes. All conditions of sale, service and warranty as described in FARO standard purchase conditions currently on file with FARO are made as part of this Quotation and are incorporated herein by reference (f/control/04/ref198-012). DR12 PLEASE REFERENCE FARO QUOTE NUMBER ON ALL DOCUMENTS. BY REFERENCING FARO QUOTE, CUSTOMER AGREES TO SAID TERMS AND CONDITIONS AS LISTED ON FARO QUOTATION.

Qty	Item No.	Description	Unit Price	Ext. Price
1	TR-LS-SCN-POS	Laser Scanner Tr. - FARO Fac. - Inc 3 Day course for two (2) trainees at an approved FARO training facility that discusses LS operation, setup, and basic measurements. NOTE: Classroom trainings are limited to six (6) trainees and are scheduled on a first come first served basis. Classes can be canceled within two weeks of the scheduled date if sufficient enrollment is not met. NOTE: Training will expire if not taken within 90 days of receipt of equipment.	0.00	0.00
		 		
1	COMP0121X64	Super Power User Notebook Notebook-Super Power User. Top-level notebook computer for use with Laser Scanner, 3D Imager and ScanArm systems. Optional upgrade for FaroArm systems. Contact your FARO representative for current specifications.	5,000.00	5,000.00
				
1	SOFTS0365-POS	SCENE Version 5 Fst. Lic. Point of Sale SCENE Version 5. First License. Software to process data of FARO 3D laser scanners. Includes 1 year of software maintenance (SMAS0001) (Point of sale)	0.00	0.00
		 		
1	ACCSS6001	Power Block, Focus3D Power Block battery for Laser Scanner Focus3D	715.00	715.00
				

**PURCHASE AGREEMENT AND CONDITIONS OF SALE** Customer will pay any federal, state and local taxes. All conditions of sale, service and warranty as described in FARO standard purchase conditions currently on file with FARO are made as part of this Quotation and are incorporated herein by reference (f/control/04/ref198-012). DR12 PLEASE REFERENCE FARO QUOTE NUMBER ON ALL DOCUMENTS. BY REFERENCING FARO QUOTE, CUSTOMER AGREES TO SAID TERMS AND CONDITIONS AS LISTED ON FARO QUOTATION.

Qty	Item No.	Description	Unit Price	Ext. Price
1	ACCSS6005	Carbon Fibre Tripod, Compact, Focus3D High-level carbon fibre tripod for Laser Scanner Focus3D	910.00	910.00
				
1	ACCSS0287	200MM KOPPA TRGT W/ TRIPOD MOUNT KIT (6) A complete package of target spheres along with tripods and other accessories, shipped in 2 crates. The first crate contains a 6 pack of 200mm target spheres with magnetic bases and individual cotton storage/handling bags, and 6 1/4-20 camera tripod mount plates. The second crate contains tripods and accessories that provide most of the standard mounting options for use in the field. Included are 6 camera tripods, 3 small flexible tripods, 3 traffic cone adapters, and a dozen 2" fender washers.	2,322.00	2,322.00
		 Image Not Available		
1	ACCSS0299	80MM KOPPA TARGET & TRAJECTORY ROD KIT A combination set of 12 80mm targets - 6 magnetic base targets, 6 trajectory mount. Includes 6 magnetic base stainless steel stand-off rods. All shipped in a plastic storage crate.	1,143.00	1,143.00
1	SOFTS0334	FARO Scene Extension Forensic Extension of FARO Scene software with additional features for forensic applications.	2,000.00	2,000.00
				

**PURCHASE AGREEMENT AND CONDITIONS OF SALE** Customer will pay any federal, state and local taxes. All conditions of sale, service and warranty as described in FARO standard purchase conditions currently on file with FARO are made as part of this Quotation and are incorporated herein by reference (f/control/04/ref198-012). DR12 PLEASE REFERENCE FARO QUOTE NUMBER ON ALL DOCUMENTS. BY REFERENCING FARO QUOTE, CUSTOMER AGREES TO SAID TERMS AND CONDITIONS AS LISTED ON FARO QUOTATION.

Qty	Item No.	Description	Unit Price	Ext. Price
1	APPS01002	SCENE - Video Pro App. SCENE Video Pro App, for SCENE single user license Plug-in for SCENE 5.x to create animated videos from scan data.	1,340.00	1,340.00
1	TRLSSCNPOSFORO	OnSite Forensics Cust-Site Upg. 5 Day Upgrade of TR-LS-SCN-POS (3 day FARO facility class) to 5 Day industry specific scanner training for accident reconstruction and forensics applications to be conducted by an industry except with experience in accident reconstruction and forensics and a variety of associated software packages. This customer site class includes basics of hardware and Scene software, as well as customized training in the customers' applications. Customer site trainings are designed for up to four (4) trainees to ensure proper transfer of knowledge and understanding. Price per class. NOTE: Training will expire if not taken within 90 days of purchase.	7,900.00	7,900.00

<b>Order Total:</b>	81,320.00
<b>Shipping Total:</b>	181.00
<b>Total in USD:</b>	81,501.00

PURCHASE AGREEMENT AND CONDITIONS OF SALE Customer will pay any federal, state and local taxes. All conditions of sale, service and warranty as described in FARO standard purchase conditions currently on file with FARO are made as part of this Quotation and are incorporated herein by reference (f/control/04/ref198-012). DR12 PLEASE REFERENCE FARO QUOTE NUMBER ON ALL DOCUMENTS. BY REFERENCING FARO QUOTE, CUSTOMER AGREES TO SAID TERMS AND CONDITIONS AS LISTED ON FARO QUOTATION.

**Suggested Optional Items**

Qty	Item No.	Description	Unit Price	Discount	Ext. Price
1	SMAS0002	 <p>SCENE - Maint. - 3 Yr.s  <b>Maintenance for SCENE software. Duration: 3 year. Scope of service according to the conditions of the SCENE maintenance contract.</b></p>	2,490.00	0.00	<del>2,490.00</del>
1	SWS-FCX-3	 <p>FARO Focus 3D X Std. Warr-3 Yr  <b>Three Year Standard Warranty for FARO Focus 3D X includes annual certification and recalibration. Parts, labor and return shipping charges covered. Goal is to have service completed within 10 business days from date of receipt.</b></p>	11,385.00	0.00	<del>11,385.00</del>
1	SOFT50011	 <p>FARO CZ Point Cloud  <b>For use with a Laser Scanner. Use FARO® CZ Point Cloud to create 2D and 3D diagrams from the point cloud data captured with the FARO® Focus 3D scanner. CZ Point Cloud includes all the features of Crash Zone and Crime Zone plus unique tools for selecting data points, creating accurate diagrams and animations from a point cloud.</b></p>	5,495.00	0.00	5,495.00 ✓

**PURCHASE AGREEMENT AND CONDITIONS OF SALE** Customer will pay any federal, state and local taxes. All conditions of sale, service and warranty as described in FARO standard purchase conditions currently on file with FARO are made as part of this Quotation and are incorporated herein by reference (//control/04/ref198-012). DR12 PLEASE REFERENCE FARO QUOTE NUMBER ON ALL DOCUMENTS. BY REFERENCING FARO QUOTE, CUSTOMER AGREES TO SAID TERMS AND CONDITIONS AS LISTED ON FARO QUOTATION.

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**Additional Information**

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**QUOTE TERMS**

To accurately and promptly process your order, the following information is required with your Purchase Order:

1. Purchase Order Number (PO#)
2. Bill To AND Ship To Address (even if they are the same)
3. Net 30 or Sooner Payment Terms
4. Prepay and Add Freight Charges OR Collect (with your shippers Account #)
5. Method of Shipment (Best Way, Ground, Overnight, 2DAY)
6. FOB Origin or Destination (for GSA and Warranty ONLY Customers)
7. FARO Quote Number
8. PO Signed and Dated
9. Ship To State Tax Exemption Certificate OR acknowledgement to charge tax
10. Signed Credit Application (New Customers ONLY)

Quoted delivery terms are contingent upon timely receipt of all above listed items.

**CALIBRATION CAPABILITIES**

FARO meets the calibration requirements of ISO 17025. If another calibration standard is required please discuss with your sales contact.

FARO follows the recommendation of the ASME B89.4.22-2004, Appendix J, in the application of the decision rule to testing results. This appendix states "B89 standards that adopt standards referencing ISO 14253-1 as a normative standard shall explicitly state a different default decision rule, where the 4:1 simple acceptance and rejection rule from B89.7.3.1 shall be the default rule unless a different rule is specified."

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FARO TECHNOLOGIES, INC. FOR THE PURCHASE OF A FOCUS3D X130 LASER SCANNING SYSTEM, INCLUDING APPLICABLE LICENSING, SOFTWARE, TRAINING AND ACCESSORIES.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to enter into a contract with FARO Technologies, Inc. for the purchase of a Focus3D X130 Laser Scanning System including applicable licensing, software training and accessories in accordance with the bid on file in the office of the City Manager.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_  
Mayor's Approval \_\_\_\_\_

Posted \_\_\_\_\_

First Reading \_\_\_\_\_ Rules Suspended \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

ITEM NO. 11310

**ITEM:**

DATE: 8/10/15

Contract with Insituform Technologies, LLC. and appropriation of \$170,000 for inversion re-lining of sanitary sewer lines

**FINANCIAL IMPACT:**

\$170,000 from the Sewer Replacement and Improvement Fund.

**SYNOPSIS:**

The proposed project includes re-lining of roughly 5000 feet of sanitary sewers that are in good structural condition to correct broken and cracked sewer lines along with lines experiencing root intrusion. Re-lining is a process that installs a new interior lining surface, and bridges over breaks, cracks and joints in the line. This process extends the service life of an existing sewer, without having to replace the line.

**BACKGROUND:**

This project was included in the 2015-2019 Capital Improvement Program under Project No. WWD-15-001. This project includes activities that tighten up the sanitary sewer system to reduce excessive flows that can be experienced during wet weather conditions along with preventing sewer blockages due to excessive root intrusion. The proposed project was prepared for formal competitive bidding, with three (3) bids being received. Staff is recommending that the bid be awarded to Insituform Technologies, LLC, the lowest and best bidder. The bids are summarized on the attached sheet.

**RECOMMENDATION:**

It is recommended that City Council authorize the City Manager to enter into a contract with Insituform Technologies, LLC. and appropriate funding in the amount of \$170,000 from the Sewer Replacement and Improvement Fund for inversion re-lining of sanitary sewer lines. Rules suspension is being requested in order for the work to take place before winter.

**LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?**  **If yes, explain above.**  
yes no

**Emergency Provision Needed?**  **If yes, explain above.**  
yes no

Prepared by: Jason Hunold  
Approved for Content by: Allen M. Sweeney  
Financial Review (where applicable): Mark Papp  
Legal Review (where applicable): John H. Clemmons  
Accepted for Council Agenda: Mike Wilson

**City of Fairfield, Ohio  
Bid Opening - Results**

**Project(s):** Sewer Rehabilitation via the Cured-In-Place Pipe Method  
**Project Estimate:** \$155,457.50  
**Date:** July 13, 2015 3:00pm (City of Fairfield, Council Chambers)

Contractor (Address / Phone)	Base Bid	Addendum(s) Received	Bid Security	Non-Collusion Affidavit	PP Taxes Affidavit
Insight Pipe Contracting, L.P. 232 East Lancaster Road Harmony, PA 16037 724-452-6060	\$167,180.00	N/A	Yes - Bond	Yes	Yes
Layne Inliner, LLC 4143 Weaver Court Hilliard, OH 43026 614-529-6440	\$192,202.00	N/A	Yes - Bond	Yes	Yes
Insituform Technologies, LLC 3898 Welden Drive Lebanon, OH 45036 636-530-8000	\$155,756.10	N/A	Yes - Bond	Yes	Yes

\*\* These bids will be reviewed by the Public Utilities Department and a recommendation will be made to Council. There is no guarantee that the contract will be awarded to the lowest bidder. Contracts are awarded to the bidder deemed to be the best and the lowest bid.

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH INSITUFORM TECHNOLOGIES, LLC FOR INVERSION RE-LINING OF SANITARY SEWER LINES.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to enter into a contract with Insituform Technologies, LLC for inversion re-lining of sanitary sewer lines in accordance with the bid on file in the office of the City Manager.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_

Mayor's Approval \_\_\_\_\_

Posted \_\_\_\_\_

First Reading \_\_\_\_\_ Rules Suspended \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

Item No. 1168

**City of Fairfield, Ohio**  
**City Council Meeting Communication**

Date 8-10-2015

**Item:**

An ordinance modifying Chapters 1159 (C-2 Central Business District), 1165 (C-3 General Business District) and 1168 (D-1 Downtown District) of the Planning and Zoning Code as part of the Fairfield Codified Ordinances.

**Financial Impact:**

There is no financial impact with this request.

**Synopsis:**

It is necessary to periodically update various provisions of the code to address relevant zoning issues within the City and to clarify existing zoning regulations.

**Background:**

Code elements that are being reviewed include:

1. Modification of the C-2, Central Business District, to make motor vehicle service and motor vehicle fuel dispensing facility a conditional use. The attached map displays all parcels in the City zoned C-2 and C-2 PUD.
2. Modification of the C-3, General Business District, to make motor vehicle service facility and motor vehicle fuel dispensing facility a principle permitted use. This modification is a result of the above modification.
3. Modification of the D-1, Downtown District, to make a daycare center a conditional use.

**Recommendation:**

It is recommended that City Council have a first reading on this ordinance at the August 10, 2015 meeting and set the public hearing date for September 14, 2015.

**Legislative Actions:** Rules Suspension and Adoption Requested? No.  
Emergency Provision Needed? No.

Prepared by: Erin Donovan (Planning Manager) *Erin Donovan*  
Approved for Content by: *Kevin K. Beckman*  
Financial Review (where applicable) *Mark Hagan*  
Legal Review (where applicable) *John A. Clemmons*  
Accepted for Council Agenda: *Alan Wilson*

# C-2 Zoning Districts



## C-2 &amp; C-2 PUD Zoning District

(August, 2015)

<u>Area</u>	<u>Location</u>	<u>Use</u>	<u>Acreage</u>	<u>Zoning</u>
1	Pleasant & Symmes	Walgreens	1.37	C-2 PUD
1		med. office	0.46	C-2 PUD
1		Jockos	0.4	C-2
1		Speedway	0.64	C-2
2	Pleasant/Patterson	Symmes Townhouses	6.29	C-2
3	Happy Valley	undeveloped	0.88	C-2
3		Gilmore Lanes	3.67	C-2
3		Mt. Pleasant Vet.	1.18	C-2
3		mini-warehouses	1	C-2
3		undeveloped	1.03	C-2
4	Winton & Mack	plumber	0.57	C-2
4		Jelly Bean Junction	1.21	C-2
4		office	1.13	C-2
5	Old Gilmore & Gilmore	pool store	1.35	C-2 PUD
5		office	0.43	C-2
5		office	0.46	C-2
5		SFD	0.46	C-2
6	Kolb	Bob Evans	0.27	C-2
6		Strip Center	3.3	C-2
6		Golden Corale	2.48	C-2
6		undeveloped	1.06	C-2
6		Hampton Inn	2.15	C-2
6		undeveloped	2.7	C-2
6		vacant	1.57	C-2
6		Asian Buffet	1.27	C-2
6		Spagetti Factory	1.31	C-2
6		Cincinnati Mall	21	C-2
7	Boymel	MFD (access road)	0.21	C-2
7		Receptions	1.47	C-2
7		strip center	5.56	C-2
8	Woodridge	Star 1	1.92	C-2 PUD
8		undeveloped	5.17	C-2 PUD
8		open space	6.27	C-2 PUD
8		office	1.81	C-2 PUD
8		MFD	4.39	C-2 PUD
8		Cheer Academy	2.78	C-2 PUD
8		undeveloped	2.84	C-2 PUD
8		office	1.45	C-2 PUD
8		gas station	0.74	C-2 PUD
8		MFD parking	0.33	C-2 PUD

**Total Acreage by Area**

1	2.87
2	6.29
3	7.76
4	2.91
5	2.7
6	37.11
7	7.24
8	27.7

<b>Total</b>	<b>94.58</b>
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ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AMEND CHAPTERS 1159, 1165 AND 1168 OF THE ZONING CODE OF ORDINANCE NO. 166-84, THE CODIFIED ORDINANCES OF FAIRFIELD, OHIO RELATIVE TO DEFINITIONS AND PRINCIPAL PERMITTED AND CONDITIONAL USES IN THE C-2 CENTRAL BUSINESS DISTRICT, C-3 GENERAL BUSINESS DISTRICT, C-3A, GENERAL BUSINESS DISTRICT MODIFIED, AND D-1, DOWNTOWN, ZONING DISTRICTS.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Chapters 1159, 1165 and 1168, of the Zoning Code of Ordinance No. 166-84, The Codified Ordinances of Fairfield, Ohio, are hereby amended to read as follows:

See attached Exhibit "A" which is incorporated herein by reference.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	
Third Reading	_____	

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

# EXHIBIT "A"

## CHAPTER 1159 C-2 Central Business District

1159.01	Principal permitted uses.	1159.05	Lot area, frontage and yard requirements.
1159.02	Conditional uses.	1159.06	Courts.
1159.03	Accessory uses.		
1159.04	Required conditions.		

### CROSS REFERENCES

Exceptions and modifications - see P. & Z. Ch. 1180

Signs - see P. & Z. Ch. 1187

Service stations; garages - see P. & Z. Ch. 1189

Nonconforming uses - see P. & Z. Ch. 1198

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### 1159.01 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses, except as provided in Chapter 1198.

- (a) General. Any use permitted and as regulated in the C-1 District, except as modified herein and except that no residential uses are permitted.
- (b) Retail and Service. Art and antique shops, artist supply stores, interior decorating shops, furniture and appliance stores, self-service laundries, dry cleaning shops, department stores, variety and dime stores, dry goods and apparel stores, laundry pick-up stores, supermarkets.
- (c) Office. Business and/or professional offices; office buildings.
- (d) Bank. Banks, savings and loans and other similar financial organizations with  
or without drive-through facilities.
- ~~[(e) Motor Vehicle Service. Motor vehicle service facility.]~~
- ~~[(fe) Restaurants and Fast Food Restaurants. Restaurants and fast food restaurants provided the principal building is distant not less than 100 feet from a principal structure in any A or R District. This subsection does not include drive-through facilities.~~
- ~~[(gf) School and Studio. Trade or business schools provided machinery which is used for instruction purposes is not objectionable due to noise, fumes, smoke,  
odor or vibrations; photographic studios, dancing studios, radio and telecasting studios and the like.~~
- ~~[(hg) Printing and Related Trade. Publishing, job printing, lithographing and blueprinting, etc.~~
- ~~[(ih) Clinic.~~
- ~~[(j) Motor Vehicle Fuel Dispensing Facility.  
(Ord. 36-13. Passed 4-22-13.)]~~

### 1159.02 CONDITIONAL USES.

The following uses shall be permitted only if expressly authorized by the Planning Commission.

- (a) General. All conditional uses permitted and as regulated in the C-1 District, except as modified herein.
- (b) Retail and Service. Any other retail business or service establishment or use which is determined by the Commission to be of the same general character as the above principal permitted uses, but not including any use which is first permitted or which is not permitted in the C-3 District.
- (c) Veterinary Hospital or Clinic. Veterinary hospitals and clinics, excluding any outside kennels, cages, exercise runs or keeping of animals.
- (d) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01(29.1) except bank drive-thru facilities which are a principal permitted use.
- (e) Entertainment. Night clubs, game rooms, theaters, billiard parlors, bowling alleys, teen clubs, taverns and similar enterprises but not within 100 feet of a principal structure located in any A or R District.  
(Ord. 155-92. Passed 12-14-92.)
- (f) MOTOR VEHICLE SERVICE FACILITY. **MOTOR VEHICLE SERVICE FACILITY.**

#### 1159.03 ACCESSORY USES.

Accessory uses, buildings or structures customarily incidental to any principal permitted or conditional use shall be permitted in conjunction with such use, including the following:

- (a) General. Accessory uses and structures as permitted and as regulated in the C-1 District, as well as accessory uses and structures not otherwise prohibited customarily accessory and incidental to any of the foregoing permitted C-2 uses.
- (b) Signs. As regulated and defined in Chapter 1187.  
(Ord. 155-92. Passed 12-14-92.)

#### 1159.04 REQUIRED CONDITIONS.

All conditions as specified for the C-1 District, except for new merchandise in the case of art and antique shops.  
(Ord. 155-92. Passed 12-14-92.)

#### 1159.05 LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

The following minimum requirements shall be observed, except as provided in Chapter 1180.

- (a)

Lot Area (Sq. Ft.)	Lot Frontage (Feet)	Front Yard Depth (Feet)	Side Yard Width (Feet)	Rear Yard Depth (Feet)
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Non-Residential Uses	10,000	None	25	None; except when adjoining an A or R District, then no less than 10 feet.	None; except when adjoining an A or R District, then no less than 10 feet.
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(b) Residential. Prohibited.

(c) Screening and Buffering.

<u>Zone</u>	<u>Use</u>	<u>Buffering (Horizontal Dimension)</u>	<u>Screening (Vertical Screen Dimension)</u>
C-2	Business	25' adjoining A and R Districts	6' adjoining A and R Districts

(Ord. 155-92. Passed 12-14-92.)

1159.06 COURTS.

Same as required in the A-1 District.

(Ord. 155-92. Passed 12-14-92.)

CHAPTER 1165  
C-3 General Business District

1165.01	Principal permitted uses.	1165.05	Lot area, frontage and yard requirements.
1165.02	Conditional uses.		
1165.03	Accessory uses.	1165.06	Courts.
1165.04	Required conditions.	1165.07	Height Regulations.

CROSS REFERENCES

Exceptions and modifications - see P. & Z. Ch. 1180

Trailer parks - see P. & Z. Ch. 1185

Signs - see P. & Z. Ch. 1187

Service stations; garages - see P. & Z. Ch. 1189

Nonconforming uses - see P. & Z. Ch. 1198

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1165.01 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses except as provided in Chapter 1198.

- (a) General. Any use permitted and as regulated in the C-2 District except as modified herein.
- (b) Retail and Service. Laundries, clothes cleaning or dyeing establishments, used merchandise stores.
- (c) Wholesale. Any wholesale business and mail order houses, including incidental warehousing; commercial greenhouses.
- (d) Motor Vehicle Service. **MOTOR VEHICLE SERVICE STATION**. Major or minor motor vehicle repair, repair garages, body and fender shops, and paint shops, but not including junk storage, all subject to the provisions of Chapter 1189 and provided that buildings shall be at least fifty feet from any A or R District, and shall have no openings adjoining the A or R District other than stationary windows and fire escapes.
- (e) Animal Hospital, Veterinary Clinic. Animal hospitals, kennels, display and housing or boarding of pets and other domestic animals, provided that any enclosure or building in which the animals are kept shall be at least one hundred feet from any A or R District and at least fifty feet from any other C District. Exercise runs shall be enclosed on four sides by an unpierced well-maintained fence or wall at least six feet in height.
- (f) Commercial Recreation Facility.

- (g) Building and Related Trade. Carpenter shops, electrical, plumbing, paint shops, heating and tin shops, paper-hanging shops, furniture upholstery and similar enterprises, but not within fifty feet of any A or R District.
- (h) Bottling Works. Bottling of soft drinks or milk and distribution stations therefore, providing a building used for such processing and/or distribution, shall be at least 100 feet from any A or R District.
- (i) Signs. As regulated and defined in Chapter 1187.
- (j) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01 (29).
- (k) Car Washes.  
(Ord. 96-14. Passed 10-27-14.)
- (l) **MOTOR VEHICLE FUEL DISPENSING FACILITY.**

1165.02 CONDITIONAL USES.

- (a) General. All conditional uses as permitted and as regulated in the C-2 District, except as modified herein.
- (b) Trailer Park. Subject to the provisions of Chapter 1185.
- (c) Warehousing Storage and Trucking Terminal. Warehouses for the storage of merchandise and materials, trucking or motor freight stations or terminals, carting, expressing or hauling establishments, contractor and building material yards, providing no such uses are conducted within 200 feet of any A or R District.
- (d) Laboratory. Experimental film or testing laboratories, provided no operation shall be conducted or equipment used which would create hazards, noxious or offensive conditions.
- (e) Manufacturing. The manufacturing, compounding, processing, packaging and assembling of products, such as:
  - (1) Bakery goods, candy, cosmetics, pharmaceuticals, toiletries, food and meat products except fish, sauerkraut, vinegar, yeast and the rendering or refining of fats or oils.
  - (2) Musical instruments, toys, novelties, rubber or metal stamps and other small rubber products.
  - (3) Electrical and electric appliances, instruments and devices, television sets, radios, phonographs.
  - (4) Electric and neon signs, billboards and other commercial advertising structures; light sheet metal products, including heating and ventilating equipment, cornices, eaves and the like.
- (f) Public Utility. Public utility buildings and structures including storage yards.
- (g) Self-Service Car Washes.
- (h) Residential. One residential use only where such use is incidental to a principal permitted use.
  
- (i) Other Uses. Any other use which is determined by the Commission to be of the same general character as the above permitted uses, but not including junk yards

or any use other than those above, which is first permitted in the M-1 District or which is prohibited in the M-1 District. (Ord. 94-84. Passed 7-9-84.)

(j) Sexually Oriented Businesses. Sexually oriented businesses may be permitted as conditional uses, subject to the following specific conditions:

- (1) No sexually oriented business shall be located within a radius of 1,000 feet of any residentially zoned or used property.
- (2) No sexually oriented business shall be located within a radius of 1,000 feet of any church, synagogue, permanently established place of worship, school, library, park or public playground.
- (3) No sexually oriented business shall be located within 1,000 feet of any other sexually oriented business and no building, premises, structure or other facility that contains any sexually oriented business shall contain any other kind of sexually oriented business.
- (4) Distances for purposes of this subsection shall be from property line to property line along the shortest possible course, regardless of any customary or common route or path of travel, i.e., "as the crow flies" and includes both property in the City of Fairfield and in any other political subdivision.
- (5) Sexually oriented businesses may operate only between the hours of 10:00 a.m. and 10:00 p.m. Monday through Saturday and shall be closed on Sundays and national holidays.  
(Ord. 154-96. Passed 10-15-96.)

(k) Flea Markets. Subject to the following required conditions:

- (1) No outdoor sales, display or storage.
- (2) Compliance with all Building Code requirements including submission and approval of a proposed plan showing aisles and emergency ingress and egress.
- (3) Only one special event sign as defined and regulated in subsection 1187.03(i) shall be permitted.  
(Ord. 9-98. Passed 2-9-98.)

(l) Motor Vehicle, Boat, Recreational Vehicle or Trailer Sales Areas. Subject to additional conditions as determined by the Planning Commission including, but not limited to:

- (1) Ingress, egress and internal circulation.
- (2) Sight distance and visibility.
- (3) Setback of displays or storage from right-of-way, sidewalk or edge of pavement.
- (4) Perimeter curbing, buffering, landscaping, parking lot striping and other similar aesthetic and/or safety requirements.

(m) Storage Shed or Barn, Carport or Play Structure Sales Areas. Subject to additional conditions as determined by the Planning Commission including, but not limited to:

- (1) Ingress, egress and internal circulation.
- (2) Sight distance and visibility.
- (3) Setback of displays or storage from right-of-way, sidewalk or edge of pavement.

- (4) Perimeter curbing, buffering, landscaping, lot coverage and other similar aesthetic and/or safety requirements.  
(Ord. 96-14. Passed 10-27-14.)

1165.03 ACCESSORY USES.

Accessory uses, buildings or structures customarily incidental to any principal permitted or conditional use shall be permitted in conjunction with such use including: Accessory uses and structures as permitted and as regulated in the C-2 District and such other accessory uses and structures not otherwise prohibited which are customarily accessory and incidental to any of the foregoing permitted C-3 uses. (Ord. 94-84. Passed 7-9-84.)

1165.04 REQUIRED CONDITIONS.

Processes and equipment employed and goods processed or sold shall be limited to those which are not objectionable by reason of odor, dust, smoke, cinders, gas, fumes, noise, vibration, refuse matter or water carried waste. (Ord. 94-84. Passed 7-9-84.)

- (a) Closed Buildings. All businesses, services or processing shall be conducted wholly within a completely enclosed building except for incidental display of merchandise, sale of motor vehicle fuel, lubricants and other fluids at service stations, loading and unloading operations, parking and such outdoor display or storage of vehicles, merchandise, materials and equipment as does not exceed five percent (5%) of the gross floor area of the principal permitted structure upon the lot or 5,000 square feet, whichever is less. The maximum height permitted is four feet measured from grade to top of display. The display must not interfere with any pedestrian or vehicular sight distance upon the site or any public thoroughfare. Automobile and other motor vehicle sales, boat sales, outdoor recreation, recreational vehicle sales, manufactured housing sales, construction and farm equipment sales and rental, nursery sales and lumber sales in side and rear yards only are excluded from the requirements of this subsection. The Planning Commission may authorize incidental outdoor display or storage which it determines to be similar to or not more objectionable than those uses already excluded from the requirements of this subsection.  
(Ord. 154-96. Passed 10-15-96.)
- (b) Night Operation. No building customarily used for night operation, such as a bakery or milk bottling and distribution station, shall have any opening, other than stationary windows or required fire exits, within 100 feet of any A or R District, and any space used for loading or unloading commercial vehicles in connection with such an operation shall not be within 100 feet of any A or R District. (Ord. 94-84. Passed 7-9-84.)
- (c) Facade Design. After March 31, 2011, all new structures on parcels which abut a regional thoroughfare as defined in the comprehensive plan may not use metal siding or "smooth face" concrete block as the exterior finish material on any facade facing the regional thoroughfare. (Ord. 98-10. Passed 11-8-10.)

**1165.05 LOT AREA, FRONTAGE AND YARD REQUIREMENTS.**

The following minimum requirements shall be observed, except as provided in Chapter 1180.

(a)

	<u>Lot Area (Sq. Ft.)</u>	<u>Lot Frontage (Feet)</u>	<u>Front Yard Depth (Feet)</u>	<u>Side Yard Width (Feet)</u>	<u>Rear Yard Depth (Feet)</u>
Non-Residential Uses	10,000	None	20	None; except when adjoining an A or R District, then no less than 25 feet.	None; except when adjoining an A or R District, then no less than 25 feet.

(b) Screening and Buffering.

<u>Zone</u>	<u>Use</u>	<u>Buffering (Horizontal Dimension)</u>	<u>Screening (Vertical Screen Dimension)</u>
C-3	Business	25' adjoining A and R Districts	6' adjoining A and R Districts

(Ord. 94-84. Passed 7-9-84.)

**1165.06 COURTS.**

Same as required in the A-1 District.

(Ord. 94-84. Passed 7-9-84.)

**1165.07 HEIGHT REGULATIONS.**

No principal or accessory structure shall exceed three stories or fifty feet, whichever is lower, except as provided in Section 1180.02 and except when expressly authorized as a conditional use by the Planning Commission. (Ord. 94-84. Passed 7-9-84.)

CHAPTER 1168  
D-1 Downtown District

1168.01	Purpose.	1168.08	Courts.
1168.02	Principal permitted uses.	1168.09	Existing structures in D-1.
1168.03	Conditional uses.	1168.10	Design review guidelines.
1168.04	Accessory uses.	1168.11	Design requirements.
1168.05	Prohibited uses.	1168.12	Procedure.
1168.06	Required conditions.		
1168.07	Lot area, frontage and yard requirements.		

CROSS REFERENCES

Exceptions and modifications - see P. & Z. Ch. 1180

Signs - see P. & Z. Ch. 1187

Service stations; garages - see P. & Z. Ch. 1189

Nonconforming uses - see P. & Z. Ch. 1198

Off-street parking and loading - see P. & Z. Ch. 1183

Underground electric and lighting - see P. & Z. Ch. 1125

Sidewalks - see P. & Z. Ch. 1184

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1168.01 PURPOSE.

The purpose of the Downtown District is to provide for a high quality, secure, visually interesting, architecturally integrated, comfortable and convenient environment that can attract a high volume of pedestrian activity in a strong cultural, institution, office and commercial presence. The D-1 District regulations and Design Guidelines for the D-1 District shall ensure the desired quality development. (Ord. 130-94. Passed 9-26-94.)

1168.02 PRINCIPAL PERMITTED USES.

No building, structure or land shall be erected, altered, enlarged or used which is arranged or designed for other than one of the following uses, except as provided in Chapter 1198.

- (a) General. Any use permitted and as regulated in the C-1 District, except as modified herein and except that no residential uses are permitted.
- (b) Retail and Service. Art and antique shops, artist supply stores, interior decorating shops, furniture and appliance stores, self-service laundries, dry cleaning shops, department stores, variety and dime stores, dry goods and apparel stores, laundry pick-up stores, supermarkets.
- (c) Office. Business and/or professional offices; office buildings.

- (d) Financial. Banks, savings and loans and other similar financial organizations with or without drive-through facilities.
- (e) Restaurants. Restaurants without drive-through facilities.
- (f) School and Studio. Trade or business schools provided machinery which is used for instruction purposes is not objectionable due to noise, fumes, smoke, odor or vibration; photographic studios, dancing studios, radio and telecasting studios and the like.
- (g) Printing and Related Trade. Publishing, job printing, lithographing and blueprinting, etc.
- (h) Clinic.  
(Ord. 36-13. Passed 4-22-13.)

1168.03 **CONDITIONAL USES.**

The following uses shall be permitted only if expressly authorized by the Planning Commission.

- (a) Restaurants. Restaurants as defined in Section 1133.01(70.1).
- (b) Retail and Service. Any other retail business or service establishment or use which is determined by the Commission to be of the same general character as the above principal permitted uses, but not including any use which is first permitted or which is not permitted in the C-3 District.
- (c) Veterinary Hospital or Clinic. Veterinary hospitals and clinics, excluding any outside kennels, cages, exercise runs or keeping of animals.
- (d) Drive-thru Facilities. Any establishment with drive-thru facilities as defined in Section 1133.01(29) except bank drive-thru facilities which are a principal permitted use. This is defined as an operation where transfer of goods and services to the customer is designed to be done while the customer remains in the vehicle.
- (e) Institutional. Schools and colleges for academic instruction and churches including church schools.
- (f) Fruit and Vegetable Stores.
- (g) Entertainment. Night clubs, game rooms, theaters, billiard parlors, bowling alleys, teen clubs, taverns and similar enterprises, but not within 100 feet of any R District and subject to all applicable regulations and such permits as may be required by law.
- (h) Wind Turbines. An alternative energy device designed to harness the natural wind currents to produce energy.
- (i) Motor Vehicle Fuel Dispensing Facility.
- (j) Motor Vehicle Service. Motor vehicle service facility.  
(Ord. 36-13. Passed 4-22-13.)
- (k) **DAYCARE.**

#### 1168.04 ACCESSORY USES.

Accessory uses, buildings or structures customarily incidental to any principal permitted or conditional use shall be permitted but shall be complimentary to the main building and surrounding properties. Additionally, accessory uses shall be permitted in conjunction with the following:

- (a) General. Accessory uses and structures as permitted and as regulated in the C-1 District, as well as accessory uses and structures not otherwise prohibited customarily accessory and incidental to any of the foregoing permitted C-2 uses.
- (b) More than one building may be located upon the lot, but only when such buildings conform to all open space requirements around the lot.
- (c) Grading, filling, excavating or any change in the grade or property that involves the moving, depletion or replacement of more than 100 cubic yards of material or changes the existing elevation by more than one foot requires approval of the Design Review Committee. At no time shall any grading be detrimental to surrounding property in appearance or in the diversion of storm water drainage.  
(Ord. 130-94. Passed 9-26-94.)
- (d) Signage shall adhere to the Design Guidelines and is subject to review and written recommendation by the Design Review Committee and approval by the Planning Commission.  
(Ord. 154-96. Passed 10-15-96.)

#### 1168.05 PROHIBITED USES.

Residential except as provided for in Chapter 1198.

(Ord. 130-94. Passed 9-26-94.)

#### 1168.06 REQUIRED CONDITIONS.

All conditions as specified for the C-1 District, except for new merchandise in the case of art and antique shops. There is no maximum use size.

(Ord. 130-94. Passed 9-26-94.)

#### 1168.07 LOT AREA, FRONTAGE AND YARD REQUIREMENTS.

The following minimum requirements shall be observed, except as provided in Chapter 1180.

- (a) Lots legally existing at the time of application of this chapter to such lots shall be considered legal conforming lots and shall not be classified as nonconforming use. Lots created subsequent to the application of this chapter to the property must conform to the provisions of this chapter.

	Lot Area (Sq. Ft.)	Lot Frontage (Feet)	Front Yard Depth (Feet)	Side Yard Width (Feet)	Rear Yard Depth (Feet)
Non-Residential Uses	10,000	75	25	None; except when adjoining an A or R District, then no less than 10 feet.	None; except when adjoining an A or R District, then no less than 10 feet.

(b) Residential. Prohibited.

(c) Screening and Buffering.

<u>Zone</u>	<u>Use</u>	<u>Buffering (Horizontal Dimension)</u>	<u>Screening (Vertical Screen Dimension)</u>
D-1	Business	25' adjoining A and R Districts	6' adjoining A and R

Districts  
(Ord. 130-94. Passed 9-26-94.)

1168.08 COURTS.

Same as required in the A-1 District. (Ord. 130-94. Passed 9-26-94.)

1168.09 EXISTING STRUCTURES IN D-1.

(a) The design requirements set forth for the D-1 District shall apply to both existing structures and new construction. New development and/or construction must adhere to the zoning requirements and the design guidelines from the project's inception. Existing structures must meet compliance requirements when thirty-three percent (33%) of the visible exterior is altered, changed or added to. Any change in land use or enlargement, reconstruction, structural alteration, remodeling or major repair respecting at least thirty-three percent (33%) of visible exterior portions of any building or lot in the D-1 District shall comply with the zoning Ordinance provision for D-1 and the accompanying guidelines for D-1. (Ord. 130-94. Passed 9-26-94.)

(b) Existing lots and structures which at the time of adoption of the D-1 District are nonconforming by reason of noncompliance with the provisions of this chapter shall be classified as legally conforming and shall appeal to the Design Review Committee in the event of building or structure damage more than sixty percent (60%) of its fair market value. The damage, exclusive of foundations, may include fire, flood, explosion, wind, earthquake, war, riot or other calamity or act of God. The building or structure may be restored and/or reconstructed with the review and written recommendation of the Design Review Committee and approval of the Planning Commission which may waive specific guidelines in order to permit a nonconforming lot. (Ord. 154-96. Passed 10-15-96.)

#### 1168.10 DESIGN REVIEW GUIDELINES.

(a) Reasonable additional requirements as to landscaping, lighting, signs or other advertising devices, screening, accessways, building placement, building setback and height limitations may be imposed by the Design Review Committee for the protection of adjoining property and to maintain a consistent Town Center image. (Ord. 130-94. Passed 9-26-94.)

(b) Particular attention shall be made to assure architectural style and quality, roof structures, exterior colors, building materials, and other features are compatible with the Design Guidelines which are in the Town Center Development Plan. Unless approved otherwise by the Planning Commission, earth tone exterior colors shall prevail in Town Center buildings and other exterior components. As provided for within the Design Review Guidelines, the Committee will review plans to assure that the objectives of the Design Guidelines are achieved.

(Ord. 154-96. Passed 10-15-96.)

(c) The Design Review Committee will evaluate projects on the following criteria:

- (1) Site design.
- (2) Architectural character.
- (3) Materials and color.
- (4) Ingress, egress and parking.
- (5) Landscaping.
- (6) Screening and buffering.
- (7) Signage.
- (8) Exterior lighting.

(d) All building elevation drawings, site plans, exterior material and color palates, signs and landscape plans must be reviewed by the Design Review Committee. The Design Review Committee, when reviewing plans, shall have at their disposal an architect registered in the State of Ohio to be of assistance where necessary.

(Ord. 130-94. Passed 9-26-94.)

#### 1168.11 DESIGN REQUIREMENTS.

This chapter which creates the D-1 District empowers the Planning Commission with the authority to adopt the Design Guidelines that are consistent with these site requirements. Guidelines shall be created, altered and/or discontinued as determined by the Commission. Furthermore, the Design Review Committee may use flexibility in interpreting the requirements of the Design Guidelines provided, however, that the guidelines shall be met unless compliance therewith creates an undue hardship. The following requirements shall be accompanied by the specific Design Guidelines for the D-1 District which are found in the Town Center Development Plan:

(a) Architectural Character.

- (1) Facade organization. All sides, including the rear elevation, of a building shall be treated as a front elevation by continuing the same colors, materials and detailing to all sides.
- (2) Storefronts. Storefronts play an integral part in the establishment of a

- building's character. The storefront of a structure must have a consistent sign frieze and window display.  
(Ord. 130-94. Passed 4-26-94.)
- other (3) Roofs. Although the preferred roof types are gable and hip, the roof types may be permitted on a case by case basis.
- materials. (4) Materials. The building materials must consist of quality material such as brick, wood, stone, masonry, vinyl siding and similar  
(Ord. 154-96. Passed 10-15-96.)
- (5) Colors. Colors must be natural. Bright primary type colors will be permitted only for accent or trim purposes.  
(Ord. 130-94. Passed 9-26-94.)
- (b) Site Design.
- (1) Ingress and egress. Curb cuts are limited to one per lot with a width Not to exceed 35 feet. Only under special circumstances shall such requirements be altered.
- (2) Parking. All parking lots shall contain a landscaped area equal to five percent (5%) of the entire parking lot. The area shall contain shrubs, flowers, trees and grass. Parking lots shall be screened from the street. A required front yard of five feet shall be placed between the sidewalk and the parking or the proposed location of a sidewalk and the parking lot. In the case where landscaping requirements shall interfere with the parking requirements of Chapter 1183, flexibility in the landscaping requirement may be permitted. (Ord. 154-96. Passed 10-15-96.)
- (3) Loading requirements. All loading docks must be screened.
- (4) Landscaping. Any part of a lot not used for buildings or other structures or for roads, walks, parking, service areas or other accessways shall be landscaped with grass, trees, shrubs or other ground cover.
- (5) Pedestrian circulation. Access for pedestrian circulation is required. Parking spaces must be connected to the building and the building must be connected to the public sidewalk.
- (6) Buffering/screening. Screening and buffering shall be provided along the common property line separating all agriculture and residential districts from the D-1 District.  
Provisions for construction of the buffer shall be the responsibility of the property owner or developer introducing the construction within the D-1 zone. (Ord. 130-94. Passed 9-26-94.)
- (7) Signage. Signs generally as permitted in Section 1187.07(d) but as approved by the Planning Commission. Roof signs shall not be permitted. Signs in the Town Center should add to a rich character, not detract from the individual properties or the area as a whole.  
(Ord. 154-96. Passed 10-15-96.)
- (8) Lighting. Project lighting must not interfere with the site layout. Lighting must be compatible with project design.  
(Ord. 130-94. Passed 9-26-94.)

## 1168.12 PROCEDURE.

(a) The provisions of any other part of these Codified Ordinances notwithstanding, before the issuance of any building permit or zoning certificate, the Design Review Committee shall review the plans to ensure that the proposed project complies with the Design Guidelines set forth in this chapter. The Design Review Committee shall recommend to the Planning Commission their findings of a project review. They may recommend alternatives or modifications to a plan. The Planning Commission shall review all plans detailing the matters described in this chapter to determine compliance with the provisions of this chapter and to fulfill the purposes stated in Section 1168.01.

(b) The Design Review Committee shall have thirty days in order to accomplish the review required. The Committee shall have thirty days after the plans are submitted to the Planning Department to review the plans for guideline compliance.

(c) There shall be created a Design Review Committee consisting of nine members to be determined as follows:

- (1) One member shall be appointed by a majority vote of Council from among its membership. Such member may be removed from the Committee, without cause, by a majority vote of the Council members;
- (2) One member shall be appointed by a majority vote of the Planning Commission from among its members. Such member may be removed from the Committee, without cause, by a majority vote of the Planning Commission;
- (3) One member shall be the Director of the Planning Department, or a staff representative appointed by the Planning Director;
- (4) One member shall be the City's Building Division Superintendent; (Ord. 130-94. Passed 9-26-94.)
- (5) One member shall be a citizen at large from the citizenry. This member shall be appointed by the City Manager and is subject to confirmation by City Council. Such member shall have no financial interests to Town Center businesses or residences. The citizen at large member shall serve for a two year term. (Ord. 154-96. Passed 10-15-96.)
- (6) Four members shall be business owners or operators from the four Town Center quadrants. One person representing each quadrant. These members shall be appointed by the City Manager and are subject to confirmation by Council. The quadrant members shall serve for overlapping terms of two years each, except that the members first appointed shall serve for the following terms of office: two quadrant members shall serve for one year and the other two members serve for two year terms; and thereafter, each member shall serve for a term of two years.

(d) Appeals. An appeal to Council may be taken by any owner, developer or occupant who is aggrieved or affected by any decision of the Planning Commission under this

section. Such appeal shall be perfected by filing a written notice of such appeal with the Clerk of Council within fourteen days after the date upon which the Planning Commission made the decision at a meeting. The Council may reverse, affirm or modify the decision of the Planning Commission within sixty days after the filing of the notice of appeal with the Clerk of Council. The decision of Council shall be final and as a legislative decision shall not be subject to further appeal.

(Ord. 130-94. Passed 9-26-94.)

**City of Fairfield, Ohio  
City Council Communication**

**Date: 08-10-15**

**Item:**

An ordinance authorizing the Building Superintendent to waive building permit fees related to a new building construction project for BCS Technologies Ltd. for a site on Tedia Way.

**Financial Impact:**

Should this ordinance be approved, the city would waive an estimated \$3,300 in building permit fees over the term of the project.

**Synopsis:**

BCS Technologies Ltd. is an automated engineering company located in a leased building on Arndt Court. BCS offers a variety of high-tech services, including electrical engineering, motion control, system integration, and programming. The company has grown steadily over the year. It now has 12 full time employees and plans to add more.

BCS has outgrown its leased space and would like to remain in Fairfield by constructing a new 12,000 square foot facility on Tedia Way. The building is designed to accommodate future expansions. The estimated project cost is \$550,000.

Approval of this ordinance would authorize the Building Superintendent to waive all building permit fees that would normally be collected from the company or any of its contractors related to the construction project during a project term of August 11, 2015 through August 31, 2016. The estimated value of this waiver is \$3,300.

**Recommendation:**

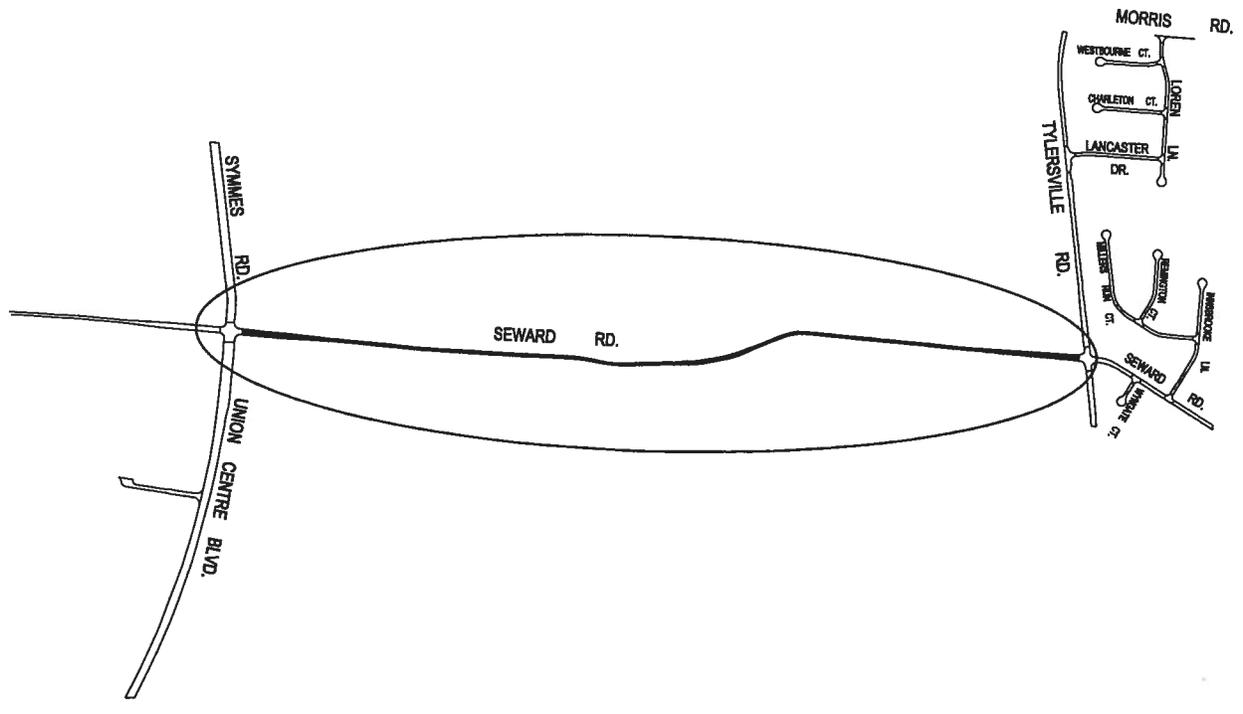
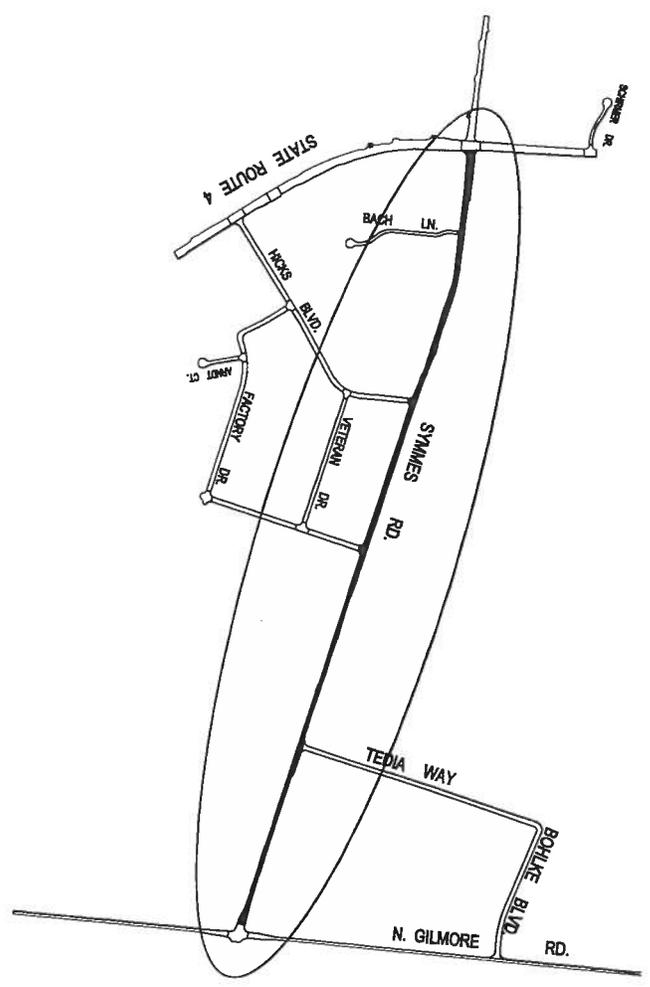
In order to facilitate the building construction process to meet the company's aggressive timeline, it is recommended that City Council suspend the rules requiring a second and third reading of the ordinance and pass as an emergency.

<b>Legislative Actions:</b>	Rules Suspension and Adoption Requested?	Yes.
	Emergency Provision Needed?	Yes.

Prepared by: Gary Kattomay  
 Approved for Content by: [Signature]  
 Financial Review (where applicable) [Signature]  
 Legal Review (where applicable) [Signature]  
 Accepted for Council Agenda: Alicia Wilson

CITY OF FAIRFIELD			
620 Main Center Road - Fairfield, Ohio (313) 861-0088			
NO.	DATE	REVISIONS	BY
SCALE	DESIGN-LAYOUT	DRAWN	CHECKED
M.T.S.	NMC	NMC	NMC

TITLE SHEET		JOB NO.
Symmes Road & Seward Road Improvements FAIRFIELD, OHIO		DATE 07/31/15
		SHEET NO. 1 / 1



ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE BUILDING SUPERINTENDENT TO WAIVE BUILDING PERMIT FEES RELATED TO A NEW BUILDING CONSTRUCTION PROJECT FOR BCS TECHNOLOGIES, LTD. FOR A SITE ON TEDIA WAY AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The Building Superintendent is hereby authorized and directed to waive building permit fees related to a new building construction project for BCS Technologies, Ltd. on Tedia Way. This waiver shall apply to the initial construction of the new building only.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that this project can begin as soon as possible; wherefore, this ordinance shall take effect immediately upon its passage.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	Emergency _____
Third Reading	_____	

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:**

DATE: August 10, 2015

Declaration of city vehicles and equipment as surplus

**FINANCIAL IMPACT:**

None

**SYNOPSIS:**

The following vehicles/equipment have been retired due to age, and/or condition and are being recommended for auction:

Unit#	Description	VIN #	Dept.
6	1996 GMC TOPKICK TRUCK	1GDM7H1J7TJ502792	STREET
22	1998 CHEVROLET C-7500	1GBM7H1C1WJ113029	STREET
258	1993 ODB LEAF MACHINE	393-1445	STREET
6311	2002 DODGE RAM 2500	3B7KF26ZZ61M577154	STREET
6410	1985 GMC UTILIMASTER	1GDJP32M7F3509975	WATER
677	2001 DODGE RAM VAN 2500	2B5WB25Y41K560207	COURT
702	2001 CHEVROLET MALIBU	1G1ND52J51M582113	POLICE
707	2001 CHEVROLET MALIBU	1G1ND52J816212455	POLICE
746	2008 FORD EXPEDITION	1FMFU16538LA83999	POLICE
8-M34	2004 CHEVROLET AMBULANCE	1GBJC34274E317540	FIRE
8-C75	1999 CHEVROLET TAHOE	1GNEK13R1XJ390523	FIRE

**BACKGROUND:**

Once an asset is declared as surplus by the city it can be sold at public auction. The city will place the items to be sold on the on-line auction site Govdeals.com which is open to the general public. Once sold Govdeals.com collects the sale price from the highest bidder and issues a check to the city for 92.5% of the sale price. The remaining balance of 7.5% is retained by Govdeals.com for their services.

**RECOMMENDATION:**

It is recommended that the City Council authorize and direct legislation declaring these vehicles and equipment as surplus and authorizing their sale.

Rules Suspension is being requested to facilitate the sale of the vehicles.

**LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?**     **yes**     **no**    **If yes, explain above.**

**Emergency Provision Needed?**     **yes**     **no**    **If yes, explain above.**

Prepared by: *[Signature]*

Approved for Content by: *[Signature]*

Financial Review (where applicable): *[Signature]*

Legal Review (where applicable): *[Signature]*

Accepted for Council Agenda: *[Signature]*

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO DECLARE ELEVEN (11) CITY MOTOR VEHICLES AND EQUIPMENT AS SURPLUS AND AUTHORIZE THE CITY MANAGER TO SELL THE MOTOR VEHICLES AND EQUIPMENT ON GOVDEALS.COM.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Eleven (11) city motor vehicles and equipment as shown on the list on file in the office of the Clerk of Council are hereby declared surplus and not needed for municipal purposes and the City Manager is hereby authorized to execute the agreement on file in his office with Govdeals.com for sale of such motor vehicles and equipment.

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_  
Mayor's Approval \_\_\_\_\_

Posted \_\_\_\_\_

First Reading \_\_\_\_\_ Rules Suspended \_\_\_\_\_

Second Reading \_\_\_\_\_

Third Reading \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council



ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A GRANT APPLICATION AND AGREEMENT WITH OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE SYMMES ROAD IMPROVEMENTS AND SEWARD ROAD IMPROVEMENTS PROJECTS AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to execute an Ohio Public Works Commission Issue 1 Grant Application and Agreement for the Symmes Road Improvements and Seward Road Improvements Projects in accordance with the application and agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the final application is due by mid September, 2015; wherefore, this ordinance shall take effect immediately upon its passage.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	Emergency _____
Third Reading	_____	

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council





# OHIO DEPARTMENT OF TRANSPORTATION

DISTRICT 8 • 505 SOUTH STATE ROUTE 741 • LEBANON, OH 45036  
JOHN KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • TAMMY K. CAMPBELL, P.E., DISTRICT 8 DEPUTY DIRECTOR

July 31, 2015

Benjamin Mann, P.E.  
City Engineer  
City of Fairfield  
8870 N. Gilmore Road  
Fairfield, OH 45014

Re: BUT-Fairfield ITS Phase 2  
PID # 98771

Dear Mr. Mann:

Attached are two copies of the LPA Agreement for the above referenced project. Please secure the signature of the City Manager and return them to this office, along with legislation that provides the City Manager the authority to enter into the Agreement.

Please note that the City should enter the DUNS Number on the top of pages 1 and 16 (this number can typically be obtained from the LPA's Finance/Auditing Department). The City should also select one of the methods for "Recovery of Direct Labor, Overhead and/or Fringe Costs" in Section 15.1 of the Agreement, or indicate that the City does not intend to recover costs for construction engineering/inspection.

Should you have any questions or need additional information, please advise.

Respectfully,

A handwritten signature in black ink that reads "Scott A. Brown".

Scott A. Brown, P.E.  
District 8 LPA Coordinator

SAB:sab

Attachments

c: Project File (w/ Attachments)

## Ben Mann

---

**From:** Scott.Brown@dot.ohio.gov  
**Sent:** Friday, July 31, 2015 11:48 AM  
**To:** Ben Mann  
**Cc:** Nicholas Dill  
**Subject:** BUT-Fairfield ITS Phase 2 (PID 98771) LPA Agreement  
**Attachments:** 7-31-15 Draft LPA Agreement Letter to Fairfield 98871.pdf; 98771 DRAFT Federal LPA Agreement No27278.pdf

Good morning Ben,

Attached to this email are PDF copies of the LPA Agreement and accompanying letter asking for your assistance in having:

- 2 copies of the Agreement printed and signed by the City Manager
- A City Council resolution passed to authorize the City Manager to enter into the agreement with ODOT
- A selection made in Section 15.2 which covers the City's desire to receive reimbursement for Construction Engineering/Inspection if there are available federal funds, and if so, what method the City desires to use for fringe benefits and overhead (if any)

Please return two signed copies of the agreement and the City Council resolution back to me at your convenience. I will return one fully-executed copy to you for your files.

If you have any questions, do not hesitate to contact me. Thanks for your assistance!

Scott

---

**Scott A. Brown, P.E.**

District 8 LPA Coordinator

Ohio Department of Transportation

505 South SR 741, Lebanon, OH 45036

Email: [scott.brown@dot.state.oh.us](mailto:scott.brown@dot.state.oh.us)

Phone: (513)933-6706



# BUT-FAIRFIELD ITS PHASE 2

COUNTY-ROUTE-SECTION

**98771**

PID NUMBER

**27278**

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CFDA 20.205

## LPA FEDERAL LOCAL-LET PROJECT AGREEMENT

**THIS AGREEMENT** is made by and between the State of Ohio, Department of Transportation, hereinafter referred to as ODOT, 1980 West Broad Street, Columbus, Ohio 43223 and the **City of Fairfield**, hereinafter referred to as the LPA, **5350 Pleasant Avenue, Fairfield, OH 45014**.

### 1. PURPOSE

- 1.1 The National Transportation Act has made available certain Federal funding for use by local public agencies. The Federal Highway Administration (hereinafter referred to as FHWA) designated ODOT as the agency in Ohio to administer FHWA's Federal funding programs.
- 1.2 Section 5501.03 (D) of the **Ohio Revised Code** (hereinafter referred to as ORC) provides that ODOT may coordinate its activities and enter into contracts with other appropriate public authorities to administer the design, qualification of bidders, competitive bid letting, construction, inspection, and acceptance of any projects administered by ODOT, provided the administration of such projects is performed in accordance with all applicable Federal and State laws and regulations with oversight by ODOT.
- 1.3 The **City of Fairfield Phase 2 ITS Improvement** (hereinafter referred to as the PROJECT) is a transportation activity eligible to receive Federal funding, and which is further defined in the PROJECT scope.
- 1.4 The purpose of this Agreement is to set forth requirements associated with the Federal funds available for the PROJECT and to establish the responsibilities for the local administration of the PROJECT.

### 2. LEGAL REFERENCES

- 2.1 This Agreement is authorized and/or governed by the following statutes and/or policies, which are incorporated, by reference, in their entirety:
  - a. Section 5501.03(D) of the ORC;
  - b. ODOT Locally Administered Transportation Projects, Manual of Procedures;
  - c. National Transportation Act, Title 23, U.S.C.; 23 CFR 635.105;
  - d. State of Ohio Department of Transportation Construction and Material Specifications Manual (applicable to dates of PROJECT);
  - e. 2 CFR Part 200; and
  - f. Federal Funding Accountability and Transparency Act (FFATA)

2.2 The LPA shall comply with all applicable Federal and State laws, regulations, executive orders, and applicable ODOT manuals and guidelines. This obligation is in addition to compliance with any law, regulation, or executive order specifically referenced in this Agreement.

3. FUNDING

3.1 The total cost for the PROJECT is estimated to be **\$2,917,468** as set forth in Attachment 1. ODOT shall provide to the LPA **80 percent** of the eligible costs, up to a maximum of **\$2,333,974** in Federal funds. This maximum amount reflects the funding limit for the PROJECT set by the applicable Program Manager. Unless otherwise provided, funds through ODOT shall be applied only to the eligible costs associated with the preliminary engineering, detailed design, actual construction of the transportation project improvements, and construction engineering/inspection activities.

3.2 The LPA shall provide all other financial resources necessary to fully complete the PROJECT, including all 100 percent Locally-funded work, cost overruns and contractor claims.

4. PROJECT DEVELOPMENT AND DESIGN

4.1 The LPA and ODOT agree that the LPA is qualified to administer this PROJECT and is in full compliance with all LPA participation requirements.

4.2 The LPA and ODOT agree that the LPA has received funding approval for the PROJECT from the applicable ODOT Program Manager having responsibility for monitoring such projects using the Federal funds involved.

4.3 The LPA shall design and construct the PROJECT in accordance with a recognized set of written design standards. The LPA shall make use of ODOT's Location and Design Manual (L&D), or the appropriate AASHTO publication. Even though the LPA may use its own standards, ODOT may require the LPA to use a design based on the L&D Manual for projects that contain a high crash rate or areas of crash concentrations. Where the LPA has adopted ODOT standards for the PROJECT, the LPA shall be responsible for ensuring that any ODOT standards used for the PROJECT are current and/or updated. The LPA shall be responsible for periodically contacting the ODOT District LPA Coordinator or through the following Internet website for any changes or updates: [www.dot.state.oh.us/drrc/Pages/default.aspx](http://www.dot.state.oh.us/drrc/Pages/default.aspx)

4.4 The LPA shall either designate an LPA employee, who is a registered professional engineer, to act as the PROJECT Design Engineer and serve as the LPA's principal representative for attending to PROJECT responsibilities, or engage the services of a pre-qualified ODOT consultant, who has been chosen using a Qualification-Based Selection (QBS) process, as required pursuant to ORC sections 153.65 through 153.71. The pre-qualified list is available on the ODOT website at: [www.dot.state.oh.us/DIVISIONS/Engineering/CONSULTANT](http://www.dot.state.oh.us/DIVISIONS/Engineering/CONSULTANT)

4.5 If Federal funds are used for a phase of project development and the LPA executes an agreement with a consultant prior to the receipt of the "Authorization" notification from ODOT, ODOT may terminate this Agreement and cease all Federal funding commitments.

4.6 ODOT reserves the right to move this PROJECT into a future sale year if the LPA does not adhere to the established PROJECT schedule, regardless of any funding commitments.

5. ENVIRONMENTAL RESPONSIBILITIES

5.1 In the administration of this PROJECT, the LPA shall be responsible for conducting any required public involvement events, for preparing all required documents, reports and other supporting materials needed for addressing applicable environmental assessment, for clearance

responsibilities for the PROJECT pursuant to the National Environmental Policy Act and related regulations, including the requirements of the National Historic Preservation Act; and for securing all necessary permits.

- 5.2 If the LPA does not have the qualified staff to perform any or all of the respective environmental responsibilities, the LPA shall hire an ODOT Pre-qualified Consultant through a QBS process. The pre-qualified list is available on the ODOT web page at [www.dot.state.oh.us/CONTRACT](http://www.dot.state.oh.us/CONTRACT). If the LPA hires a pre-qualified consultant, the LPA shall be responsible for monitoring the consultant's activities and ensuring that the consultant is following all Federal and State laws, regulations, policies, and guidelines.
- 5.3 ODOT shall be responsible for the review of all environmental documents and reports, and shall complete all needed coordination activities with State and Federal regulatory agencies toward securing environmental clearance.
- 5.4 The LPA shall be responsible for assuring compliance with all commitments made as part of the PROJECT's environmental clearance and/or permit requirements during the construction of the project.
- 5.5 The LPA shall require its consultant, selected to prepare a final environmental document pursuant to the requirements of the National Environmental Policy Act, to execute a copy of a disclosure statement specifying that the consultant has no financial or other interest in the outcome of the PROJECT.
- 5.6 The LPA shall provide a letter indicating the proposed Best Management Practices (BMPs) to be utilized for post construction storm water management in accordance with the Ohio EPA National Pollutant Discharge Elimination System (NPDES) Construction General Permit. If no BMPs are proposed, a letter stating concurrence is required from the Ohio EPA.

## 6. RIGHT OF WAY/ UTILITIES/ RAILROAD COORDINATION

- 6.1 All right-of-way acquisition activities shall be performed by the LPA in accordance with the Uniform Relocation Assistance and Real Property Acquisition Act of 1970 (Public Law 91-646) as amended by 49 CFR Part 24 (hereinafter referred to as Uniform Act), any related Federal regulations issued by the FHWA, and State rules, policies and guidelines issued by ODOT.
- 6.2 If existing and newly-acquired right of way is required for this PROJECT, the LPA shall certify that the all right of way has been acquired in conformity with Federal and State laws, regulations, policies, and guidelines. Per ODOT's Office of Real Estate, any LPA staff who perform real estate functions shall be prequalified. If the LPA does not have the qualified staff to perform any or all of the respective right of way functions, the LPA shall hire an ODOT Pre-qualified Consultant through a QBS process. The LPA shall not hire the same consultant to perform both the appraisal and appraisal review functions. Appraisal review shall be performed by an independent staff or fee reviewer and shall be hired directly by the LPA. Likewise, a consultant hired to perform right of way acquisition work is not permitted to perform both the relocation and relocation review functions. Relocation review shall be performed by an independent staff or fee reviewer.
- 6.3 If the LPA hires a pre-qualified consultant, the LPA shall be responsible for monitoring the consultant's activities and ensuring that the consultant is following all Federal and State laws, regulations, policies, and guidelines.
- 6.4 All relocation assistance activities shall be performed by the LPA in conformity with Federal and State laws, including the Uniform Act, and any related Federal regulations issued by the FHWA, and State rules, policies and guidelines issued by ODOT. The LPA shall not hire a consultant to

perform both the relocation and relocation review functions nor shall the LPA hire a sub-consultant for relocation and another sub-consultant for relocation review. Relocation review shall be performed by an independent staff person or independent fee reviewer and shall be hired directly by the LPA.

- 6.5 The LPA shall provide the ODOT District Office with its certification that all right of way property rights necessary for the PROJECT are under the LPA's control, that all right of way has been cleared of encroachments, and that utility facilities have been appropriately relocated or accounted for so as not to interfere with PROJECT construction activities. ODOT shall make use of the LPA's Right of Way Certification, as well as evaluate the LPA's and/or consultant's performance of the PROJECT real estate activities under Titles II and III of the Uniform Act, and, as appropriate, certify compliance to the FHWA. The LPA shall be liable to repay to ODOT all of the Federal funds disbursed to it under this Agreement if the certification of the LPA is found to be in error or otherwise invalid.
- 6.6 In the administration of this PROJECT, the LPA agrees to follow all procedures described in the ODOT Utilities Manual and 23 CFR Part 645. When applicable, the LPA shall enter into a utility relocation agreement with each utility prior to the letting of construction. No reimbursable construction costs shall be incurred by the LPA prior to the receipt of the "Authorization to Advertise" notification from ODOT. If such costs are incurred, ODOT may terminate this Agreement and cease all Federal funding commitments.
- 6.7 The LPA shall submit all subsequent modifications to the design of the PROJECT and/or any disposal of property rights acquired as part of the PROJECT to ODOT and FHWA for approval.
- 6.8 The LPA shall be responsible for any necessary railroad coordination and agreements. The LPA shall comply with the provisions of Title 23 of the Code of Federal Regulations and applicable chapters of the ORC regarding all activities relating to Railroad-Highway projects.
- 6.9 Consistent with sections 10.1 and 10.4 of this agreement, the LPA shall assure that, if any property acquired for this project is subsequently sold for less than fair market value, all Title VI requirements are included in the instrument which transfers the property. Consistent with sections 10.1 and 10.4 of this agreement, the LPA shall assure that if the LPA grants a permit or license for the property acquired for this project that the license or permit require the licensee or permit holder to adhere to all Title VI requirements.
7. ADVERTISING, SALE AND AWARD
  - 7.1 The LPA **shall not** advertise for bids prior to the receipt of the "Authorization to Advertise" notification from ODOT. Should advertising or work commence prior to the receipt of the "Authorization to Advertise" notification, ODOT shall immediately terminate this Agreement and cease all Federal funding commitments.
  - 7.2 Any use of sole source or proprietary bid items must be approved by the applicable ODOT district. All sole source or proprietary bid items should be brought to the attention of the LPA Coordinator as soon as possible so as not to cause a delay in the plan package submission process. Bid items for traffic signal and highway lighting projects must be in conformance with ODOT's Traffic Engineering Manual.
  - 7.3 Once the LPA receives Federal authorization to advertise, the LPA may begin advertising activities. Whenever local advertisement requirements differ from Federal advertisement requirements, the Federal requirements shall prevail. The period between the first legal advertising date and the bid opening date shall be a minimum of twenty-one (21) calendar days. The LPA shall submit to ODOT any addendum to be issued during the advertisement period that changes estimates or materials.

ODOT shall review and approve such addendum for project eligibility. All addenda shall be distributed to all potential bidders prior to opening bids and selling the contracts.

- 7.4 The LPA must incorporate ODOT's LPA Bid Template in its bid documents. The template includes Form FHWA-1273, Required Contract Provisions, a set of contract provisions and proposal notices that are required by regulations promulgated by the FHWA and other Federal agencies, which must be included in all contracts as well as appropriate subcontracts and purchase orders.
- 7.5 The LPA shall require the contractor to be enrolled in, and maintain good standing in, the Ohio Bureau of Workers' Compensation Drug-Free Safety Program (DFSP), or a similar program approved by the Bureau of Workers' Compensation, and the LPA must require the same of any of its subcontractors.
- 7.6 Only pre-qualified contractors are eligible to submit bids for this PROJECT. Pre-qualification status must be in effect/current **at the time of award**. For work types that ODOT does not pre-qualify, the LPA must still select a qualified contractor. Subcontractors are not subject to the pre-qualification requirement. In accordance with FHWA Form 1273 Section VII and 23 CFR 635.116, the "prime" contractor must perform no less than 30 percent of the total original contract price. The 30-percent prime requirement does not apply to design-build contracts.
- 7.7 In accordance with ORC Section 153.54, et. seq., the LPA shall require that the selected contractor provide a performance and payment bond in an amount equal to at least 100 percent of its contract price as security for the faithful performance of its contract. ODOT shall be named an obligee on any bond. If the LPA has 100 percent locally-funded work product within this agreement, the LPA must allocate the correct percent of the performance and payment bond cost to the 100 percent locally-funded work product.
- 7.8 Before awarding a contract to the selected contractor, the LPA shall verify that the contractor is not subject to a finding for recovery under ORC Section 9.24, that the contractor has taken the appropriate remedial steps required under ORC Section 9.24, or that the contractor otherwise qualifies under the exceptions to this section. Findings for recovery can be viewed on the Auditor of State's website at <https://ohioauditor.gov/findings.html> . If the LPA fails to so verify, ODOT may immediately terminate this Agreement and release all Federal funding commitments.
- 7.9 Before awarding a contract to the selected contractor, the LPA shall verify that the contractor is an active registrant on the Federal System for Award Management (SAM). Pursuant to 48 CFR 9.404, contractors that have an active exclusion on SAM are excluded from receiving Federal contracts, certain subcontracts, and certain Federal financial and nonfinancial assistance and benefits. If the LPA fails to so verify, ODOT may immediately terminate this Agreement and release all federal funding commitments.
- 7.10 The LPA is prohibited from imposing any geographical hiring preference on any bidder in the LPA's bid documents or on any successful contractor in the LPA's award or contract for the construction of the PROJECT.
- 7.11 After analyzing all bids for completeness, accuracy, and responsiveness, per ORC 153.12, the LPA shall approve the award of the contract in accordance with laws and policies governing the LPA within 60 days after bid opening. Within 45 days of that approval, the LPA shall submit to ODOT notification of the project award by submitting a bid tabulation, a copy of the ordinance or resolution, and direct payment information as required in Attachment 2 of this agreement, if applicable.

8. CONSTRUCTION CONTRACT ADMINISTRATION

- 8.1 The LPA shall provide and maintain competent and adequate project management covering the supervision and inspection of the development and construction of the PROJECT. The LPA shall bear the responsibility of ensuring that construction conforms to the approved plans, surveys, profiles, cross sections and material specifications. If a consultant is used for engineering and/or inspection activities, the LPA must use a QBS process as required pursuant to ORC sections 153.65 through 153.71. Any construction contract administration or engineering costs incurred by the LPA or their consultant prior to the construction contract award date will not be eligible for reimbursement under this agreement.
- 8.2 The LPA must maintain a project daily diary that is up-to-date and contains the following information: all work performed, list of equipment utilized, project personnel and hours worked, pay quantities, daily weather conditions, special notes and instructions to the contractor, and any unusual events occurring on or adjacent to the project. Additionally, the LPA is responsible for documenting measurements, calculations, material quality, quantity, and basis for payment; change orders, claims, testing and results, traffic, inspections, plan changes, prevailing wage, EEO and DBE, if applicable. The LPA is responsible for ensuring all materials incorporated into the project comply with ODOT's Construction and Material Specifications and meet the requirements of Appendix J in the LATP Manual of Procedures.
- 8.3 The LPA shall certify both the quantity and quality of material used, the quality of the work performed, and the amount of construction engineering cost, when applicable, incurred by the LPA for the eligible work on the PROJECT, as well as at the completion of construction. The LPA shall certify that the construction is in accordance with the approved plans, surveys, profiles, cross sections and material specifications or approved amendments thereto.
- 8.4 The Federal-aid Highway Program operates on a reimbursement basis, which requires that costs actually be incurred and paid before a request is made for reimbursement. The LPA shall review and/or approve all invoices prior to payment and prior to requesting reimbursement from ODOT for work performed on the PROJECT. If the LPA requests reimbursement, it must provide documentation of payment for the PROJECT costs requested. The LPA shall ensure the accuracy of any invoice in both amount and in relation to the progress made on the PROJECT. The LPA must submit to ODOT a written request for either current payment or reimbursement of the Federal/State share of the expenses involved, attaching copies of all source documentation associated with pending invoices or paid costs. To assure prompt payment, the measurement of quantities and the recording for payment should be performed on a daily basis as the items of work are completed and accepted.
- 8.5 ODOT shall pay, or reimburse, the LPA or, at the request of the LPA and with concurrence of ODOT, pay directly to the LPA's construction contractor ("Contractor"), the eligible items of expense in accordance with the cost-sharing provisions of this Agreement. If the LPA requests to have the Contractor paid directly, Attachment 2 to this Agreement shall be completed and submitted with the project bid tabulations, and the Contractor shall be required to establish Electronic Funds Transfer with the State of Ohio. ODOT shall pay the Contractor or reimburse the LPA within thirty (30) days of receipt of the approved Contractor's invoice from the LPA. When the LPA is requesting a direct payment to its Contractor, the LPA must provide documentation that the LPA has paid its share of the PROJECT costs.
- 8.6 The LPA shall notify ODOT of the filing of any mechanic's liens against the LPA's Contractor within three (3) business days of receipt of notice of lien. Failure to so notify ODOT or failure to process a mechanic's lien in accordance with the provisions of Chapter 1311 of the ORC may result in the

termination of this Agreement. Upon the receipt of notice of a mechanic's lien, ODOT reserves the right to (1) withhold an amount of money equal to the amount of the lien that may be due and owing to either the LPA or the Contractor; (2) terminate direct payment to the affected Contractor; or (3) take both actions, until such time as the lien is resolved.

- 8.7 Payment or reimbursement to the LPA shall be submitted to:

**Arthur E. Pizzano, City Manager  
City of Fairfield  
5350 Pleasant Avenue  
Fairfield, OH 45014**

- 8.8 If, for any reason, the LPA contemplates suspending or terminating the contract of the Contractor, it shall first seek ODOT's written approval. Failure to timely notify ODOT of any contemplated suspension or termination, or failure to obtain written approval from ODOT prior to suspension or termination, may result in ODOT terminating this Agreement and ceasing all Federal funding commitments.
- 8.9 If ODOT approves any suspension or termination of the contract, ODOT reserves the right to amend its funding commitment in paragraph 3.1 and, if necessary, unilaterally modify any other term of this Agreement in order to preserve its Federal mandate. Upon request, the LPA agrees to assign all rights, title, and interests in its contract with the Contractor to ODOT to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.
- 8.10 Any LPA right, claim, interest, and/or right of action, whether contingent or vested, arising out of, or related to any contract entered into by the LPA for the work to be performed by the Contractor on this PROJECT (the Claim), may be subrogated to ODOT, and ODOT shall have all of the LPA's rights in/to the Claim and against any other person(s) or entity(ies) against which such subrogation rights may be enforced. The LPA shall immediately notify ODOT in writing of any Claim. The LPA further authorizes ODOT to sue, compromise, or settle any such Claim. It is the intent of the parties that ODOT be fully substituted for the LPA and subrogated to all of the LPA's rights to recover under such Claim(s). The LPA agrees to cooperate with reasonable requests from ODOT for assistance in pursuing any action on the subrogated Claim including requests for information and/or documents and/or to testify.
- 8.11 After completion of the PROJECT, and in accordance with Title 23 United States Code 116 and applicable provisions of the ORC, the LPA shall maintain the PROJECT to design standards and provide adequate maintenance activities for the PROJECT, unless otherwise agreed to by ODOT. The PROJECT must remain under public ownership and authority for 20 years unless otherwise agreed to by ODOT. If the PROJECT is not being adequately maintained, ODOT shall notify the LPA of any deficiencies, and if the maintenance deficiencies are not corrected within a reasonable amount of time, ODOT may determine that the LPA is no longer eligible for future participation in any Federally-funded programs.
- 8.12 The LPA must provide the final invoices, and final report (Appendix P) along with all necessary closeout documentation within 6 months of the physical completion date of the project. All costs must be submitted within 6 months of the established completion date. Failure to submit final invoices along with the necessary closeout documentation within the 6 month period may result in closeout of the project and loss of eligibility of any remaining Federal and or State funds.

**CERTIFICATION AND RECAPTURE OF FUNDS**

9.1 This Agreement is subject to the determination by ODOT that sufficient funds have been appropriated by the Ohio General Assembly to the State for the purpose of this Agreement and to the certification of funds by the Office of Budget and Management, as required by ORC section 126.07. If ODOT determines that sufficient funds have not been appropriated for the purpose of this Agreement or if the Office of Budget and Management fails to certify the availability of funds, this Agreement or any renewal thereof will terminate on the date funding expires.

9.2 Unless otherwise directed by ODOT, if for any reason the PROJECT is not completed in its entirety or to a degree acceptable to ODOT and FHWA, the LPA shall repay to ODOT an amount equal to the total funds ODOT disbursed on behalf of the PROJECT. In turn, ODOT shall reimburse FHWA an amount equal to the total sum of Federal dollars it has received for the PROJECT. If the LPA has not repaid ODOT in full an amount equal to the total funds ODOT disbursed on behalf of the project, any funds recovered from the performance and payment bond as required under section 7.7 shall be used to offset the Federal dollars reimbursed to FHWA.

## 10. NONDISCRIMINATION

10.1 In carrying out this Agreement, the LPA shall not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, ancestry, age, disability as that term is defined in the American with Disabilities Act, military status (past, present, or future), or genetic information. The LPA shall ensure that applicants are hired and that employees are treated during employment without regard to their race, religion, color, sex, national origin, ancestry, age, disability, military status, or genetic information. Such action shall include, but not be limited to the following: employment, upgrading, demotion, or transfer; recruitment advertising; layoff or termination; rates of pay or other forms of compensation; and selection for training, including apprenticeship.

10.2 The LPA agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause, and in all solicitations or advertisements for employees placed by it, state that all qualified applicants shall receive consideration for employment without regard to race, religion, color, sex, national origin, ancestry, age, disability, military status, or genetic information. The LPA shall incorporate this nondiscrimination requirement within all of its contracts for any of the work on the PROJECT (other than subcontracts for standard commercial supplies or raw materials) and shall require all of its contractors to incorporate such requirements in all subcontracts for any part of such PROJECT work.

10.3 For any project in which the Engineer's Estimate exceeds \$500,000, the LPA shall ensure that Disadvantaged Business Enterprises (DBEs), as defined in 49 CFR Part 26, will have an equal opportunity to participate in the performance of contracts and subcontracts financed in whole or in part with Federal funds provided in conjunction with this Agreement. To meet this requirement, subcontractors who claim to be DBEs must be certified by ODOT. The LPA shall require that all contracts and other agreements it enters into for the performance of the PROJECT contain the following specific language:

Disadvantaged Business (DBE) Requirement. DBE participation goals (subcontracts, materials, supplies) have been set on this project for those certified as DBEs pursuant to Title 23, U.S.C. section 140(c) and 49 CFR, Part 26, and where applicable qualified to bid with ODOT under Chapter 5525 of the **ORC**.

### WAIVER PROCESS FOR DBE GOALS

In the event the Contractor is unable to meet the DBE Goal placed on this project, a request for waiver of all or part of the goal may be made to ODOT through the LPA. The

Contractor must document the progress and efforts being made in securing the services of DBE subcontractors. In the event the Contractor is unable to meet the DBE Goal placed on this Local Let project, a request for a waiver of all or part of the goal may be made. The written request must indicate a good faith effort was made to meet the goal and be sent to the LPA contracting authority. The LPA forwards the request with recommended action to the ODOT District. The ODOT District then makes recommendation and forwards the request to Office of Contracts, 1980 West Broad Street, Mail Code 4110 Columbus, Ohio, 43223. There will be no extension of time for the project granted if the Contractor wishes to avail himself of this process. If an item of work subcontracted to a DBE firm is non-performed by LPA or the subject of an approved VECP, the Contractor may request a waiver for the portion of work excluded.

ODOT shall supply the percentage goal to the LPA upon review of the Engineer's Estimate. Prior to executing the contract with the contractor, the LPA must obtain written, signed documentation from the contractor that the DBE goal will be satisfied. The LPA, in turn, must provide such documentation to ODOT in order for ODOT to encumber the Federal/State funds.

10.4 During the performance of this contract, the LPA, for itself, its assignees and successors in interest") agrees as follows:

(1) **Compliance with Regulations:** The LPA will comply with the regulations relative to nondiscrimination in Federally-assisted programs of the United States Department of Transportation (hereinafter "U.S. DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time, (hereinafter referred to as the "Regulations"), which are herein incorporated by reference and made a part of this contract.

In addition, the LPA will comply with the provisions of the Americans with Disabilities Act, Section 504 of the Rehabilitation Act, FHWA Guidance, and any other Federal, State, and/or local laws, rules and/or regulations (hereinafter referred to as "ADA/504").

(2) **Nondiscrimination:** The LPA, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, or disability, in the selection and retention of contractors or subcontractors, including procurements of materials and leases of equipment. The LPA will not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations, as well as the ADA/504 regulations.

(3) **Solicitations for Contractors or Subcontractors, including Procurement of Materials and Equipment:** In all solicitations either by competitive bidding or negotiation made by the LPA for work to be performed under a contract or subcontract, including procurements of materials or leases of equipment, each potential contractor, subcontractor, or supplier will be notified by the LPA of the LPA's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, national origin, sex, age, or disability.

(4) **Information and Reports:** The LPA will provide all information and reports required by the Regulations or directives issued pursuant thereto, and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the STATE or FHWA to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information required of the LPA is in the exclusive possession of another who fails or refuses to furnish this information, the LPA will so certify to the STATE or FHWA, as appropriate, and will set forth what efforts it has made to obtain the information.

(5) **Sanctions for Noncompliance:** In the event of the LPA's noncompliance with the nondiscrimination provisions of this contract, the STATE will impose such contract sanctions as it or FHWA may determine to be appropriate, including, but not limited to:

- (a) withholding of payments to the LPA under the contract until the LPA complies, and/or
- (b) cancellation, termination or suspension of the contract, in whole or in part.

(6) **Incorporation of Provisions:** The LPA will include the provisions of paragraphs (1) through (5) above in every contract or subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The LPA will take such action with respect to any contractor or subcontractor procurement as the STATE or FHWA may direct as a means of enforcing such provisions including sanctions for noncompliance; provided, however, that, in the event the LPA becomes involved in, or is threatened with, litigation with a contractor, subcontractor, or supplier as a result of such direction, the LPA may request the STATE to enter into such litigation to protect the interests of the STATE, and, in addition, the LPA may request the United States to enter into such litigation to protect the interests of the United States.

## 11. DATA, PATENTS AND COPYRIGHTS - PUBLIC USE

11.1 The LPA shall ensure that any designs, specifications, processes, devices or other intellectual properties specifically devised for the PROJECT by its consultants or contractors performing work become the property of the LPA, and that when requested, such designs, specifications, processes, devices or other intellectual properties shall become available to ODOT and FHWA with an unrestricted right to reproduce, distribute, modify, maintain, and use. The LPA's consultants and contractors shall not seek or obtain copyrights, patents, or other forms of proprietary protection for such designs, specifications, processes, devices or other intellectual properties, and in providing them to the PROJECT, shall relinquish any such protections should they exist.

11.2 The LPA shall not allow its consultants or contractors to utilize within the development of the PROJECT any copyrighted, patented or similarly protected design, specification, process, device or other intellectual property unless the consultant or contractor has provided for such use by suitable legal agreement with the owner of such copyright, patent or similar protection. A consultant or contractor making use of such protected items for the PROJECT shall indemnify and save harmless the LPA and any affected third party from any and all claims of infringement on such protections, including any costs, expenses, and damages which it may be obliged to pay by reason of infringement, at any time during the prosecution or after the completion of work on the PROJECT.

11.3 In the case of patented pavements or wearing courses where royalties, licensing and proprietary service charges, exacted or to be exacted by the patentees, are published and certified agreements are filed with the LPA, guaranteeing to prospective bidders free unrestricted use of all such proprietary rights and trademarked goods upon payment of such published charges, such patented pavements or wearing courses may be specifically designated in the proposal and competition secured upon the item exclusive of the patent or proprietary charges.

## 12. TERMINATION; DEFAULT AND BREACH OF CONTRACT

12.1 Neglect or failure of the LPA to comply with any of the terms, conditions, or provisions of this Agreement, including misrepresentation of fact, may be an event of default, unless such failure or neglect are the result of natural disasters, strikes, lockouts, acts of public enemies, insurrections, riots, epidemics, civil disturbances, explosions, orders of any kind of governments of the United States or State of Ohio or any of their departments or political subdivisions, or any other cause not

reasonably within the LPA's control. If a default has occurred, ODOT may terminate this agreement with thirty (30) days written notice, except that if ODOT determines that the default can be remedied, then ODOT and the LPA shall proceed in accordance with sections 12.2 through 12.4 of this Agreement.

- 12.2 If notified by ODOT in writing that it is in violation of any of the terms, conditions, or provisions of this Agreement, and a default has occurred, the LPA shall have thirty (30) days from the date of such notification to remedy the default or, if the remedy will take in excess of thirty (30) days to complete, the LPA shall have thirty (30) days to satisfactorily commence a remedy of the causes preventing its compliance and curing the default situation. Expiration of the thirty (30) days and failure by the LPA to remedy, or to satisfactorily commence the remedy of, the default whether payment of funds has been fully or partially made, shall result in ODOT, at its discretion, declining to make any further payments to the LPA, or in the termination of this Agreement by ODOT. If this Agreement is terminated, the LPA may be liable to repay to ODOT all of the Federal funds disbursed to it under this Agreement.
- 12.3 The LPA, upon receiving a notice of termination from ODOT for default, shall cease work on the terminated activities covered under this Agreement. If so requested by ODOT, the LPA shall assign to ODOT all its rights, title, and interest to any contracts it has with any consultants or contractors. Otherwise, the LPA shall terminate all contracts and other agreements it has entered into relating to such covered activities, take all necessary and appropriate steps to limit disbursements and minimize any remaining costs. At the request of ODOT, the LPA may be required to furnish a report describing the status of PROJECT activities as of the date of its receipt of notice of termination, including results accomplished and other matters as ODOT may require.
- 12.4 No remedy herein conferred upon or reserved by ODOT is intended to be exclusive of any other available remedy, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given under this Agreement or now or hereafter existing at law or in equity. No delay or omission to exercise any right or option accruing to ODOT upon any default by the LPA shall impair any such right or option or shall be construed to be a waiver thereof, but any such right or option may be exercised from time to time and as often as may be deemed expedient by ODOT.

13. THIRD PARTIES AND RESPONSIBILITIES FOR CLAIMS

- 13.1 Nothing in this Agreement shall be construed as conferring any legal rights, privileges, or immunities, or imposing any legal duties or obligations, on any person or persons other than the parties named in this Agreement, whether such rights, privileges, immunities, duties, or obligations be regarded as contractual, equitable, or beneficial in nature as to such other person or persons. Nothing in this Agreement shall be construed as creating any legal relations between the Director and any person performing services or supplying any equipment, materials, goods, or supplies for the PROJECT sufficient to impose upon the Director any of the obligations specified in section 126.30 of the ORC.
- 13.2 The LPA hereby agrees to accept responsibility for any and all damages or claims for which it is legally liable arising from the actionable negligence of its officers, employees or agents in the performance of the LPA's obligations made or agreed to herein.

14. NOTICE

14.1 Notice under this Agreement shall be directed as follows:

If to the LPA:

**Mark Wendling  
City of Fairfield, City Manager  
5350 Pleasant Avenue  
Fairfield, OH 45014**

If to ODOT:

**Tammy K. Campbell, P.E.  
District 8 Deputy Director  
505 South State Route 741  
Lebanon, OH 45036**

15. GENERAL PROVISIONS

15.1 Recovery of Direct Labor, Overhead, and/or Fringe Costs:

To be eligible to recover any costs associated with the LPA's internal labor forces used on this project, the LPA shall make an appropriate selection below:<sup>1</sup>

- 1. Direct Labor only (no indirect cost recovery for fringe benefit or overhead costs)
- 2. Direct Labor plus indirect costs determined using the Federal De Minimis Indirect Cost Rate<sup>2</sup>
- 3. Direct Labor plus Approved Fringe Benefit Costs (fringe benefits only)<sup>3</sup>
- 4. Direct Labor plus indirect costs determined using the approved applicable Cost Allocation Plan rate<sup>4</sup>
- 5. No cost recovery of any LPA direct labor, fringe benefits, or overhead costs.

For any labor costs to be eligible for reimbursement with Federal and State funds, the LPA shall meet all timekeeping requirements outlined in 2 CFR Part 200 and the ODOT LPA Cost Recovery Guidance, including ODOT Questions and Answers<sup>5</sup> and related supplementary guidance, as applicable. Additionally, if the LPA elects to recover fringe and/or indirect costs, the LPA shall follow 2 CFR Part 200 and the LAMP Manual of Procedures.

15.2 Financial Reporting and Audit Requirements: The LPA shall comply with the financial reporting and audit requirements of 2 CFR Part 200.

The LPA must submit performance reports at the interval required by the Federal awarding agency and pass-through entity. Annual reports must be due 90 calendar days after the reporting period; quarterly and semi-annual reports must be due 30 calendar days after the reporting period.

<sup>1</sup> **Note:** If a timely election is not made at the time of contract execution, the cost recovery method will default to Option 5: No cost recovery of any LPA direct labor, fringe benefits, or overhead costs.

<sup>2</sup> The De Minimis Indirect Cost Rate is 10 percent of modified total direct costs (MTDC) per 2 CFR §200.414. Regardless of whether the LPA prepares a CAP or uses the 10-percent de minimis rate, LPAs are required to maintain Federally-compliant time-tracking systems. Accordingly, LPAs are permitted to bill for labor costs and associated indirect costs only if such costs are accumulated, tracked, and allocated in accordance with such systems. Before an LPA is eligible to elect the de minimis rate on any project, the LPA's time-tracking system and methods for tracking other project costs must be reviewed and approved by the ODOT Office of External Audits. To obtain this approval, LPAs will be required to complete an Internal Control Questionnaire (ICQ), and LPAs with compliant time-tracking systems will be granted approval (be prequalified) to apply the de minimis rate.

<sup>3</sup> Annually, the LPA shall submit an updated rate for review and approval by the ODOT Office of External Audits.

<sup>4</sup> Annually, the LPA shall submit an updated rate for review and approval by the ODOT Office of External Audits.

<sup>5</sup> Question and Answer guidance can be found at the following web address:  
[http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Locallet%20Manual/LPA%20Questions%20and%20Answers%20Re%202%20CFR%20200%20\(latest\)%20\(2\).pdf](http://www.dot.state.oh.us/Divisions/Planning/LocalPrograms/Locallet%20Manual/LPA%20Questions%20and%20Answers%20Re%202%20CFR%20200%20(latest)%20(2).pdf)

Alternatively, ODOT may require annual reports before the anniversary dates of multiple year Federal awards.<sup>6</sup>

LPAs that expend \$750,000 or more in the LPA's fiscal year in Federal awards must have a Single Audit, or program-specific audit, conducted for that year in accordance with 2 CFR §200.501.

Federal and State funds expended to or on behalf of a subrecipient must be recorded by the subrecipient (LPA). The LPA is responsible for tracking these payments throughout the life of the project in order to ensure an accurate Schedule of Expenditures of Federal Award (hereinafter referred to as *Schedule*) is provided for 20.205 funding. The LPA must identify each ODOT PID and/or Project and the corresponding expenditures on its Schedule separately. LPAs are responsible for ensuring funds related to this PROJECT are reported when the activity related to the Federal award occurs.<sup>7</sup> The LPA is required to report its own expenditures, in addition to any expenditures made by ODOT for the project in the applicable Schedule when the expenditure was made. When a Schedule is not accurately reported for the project, the LPA will be required to make corrections to past, current, and possibly future Schedules and Audit Reports to ensure Federal funds are accurately reported in the correct fiscal year matching the project expenditure. The LPA is required to report all Federal funds received, or expended on its behalf, regardless to differences in the LPA expenditure date and ODOT reimbursement date.

- 15.3 *Record Retention:* The LPA, when requested at reasonable times and in a reasonable manner, shall make available to the agents, officers, and auditors of ODOT and the United States government, its records and financial statements as necessary relating to the LPA's obligations under this Agreement. All such books, documents, and records shall be kept for a period of at least three years after FHWA approves the LPA's final Federal voucher for reimbursement of PROJECT expenses. In the event that an audit-related dispute should arise during this retention period, any such books, documents, and records that are related to the disputed matter shall be preserved for the term of that dispute. The LPA shall require that all contracts and other agreements it enters into for the performance of the PROJECT contain the following specific language:

As the LPA, ODOT or the United States government may legitimately request from time to time, the contractor agrees to make available for inspection and/or reproduction by the LPA, ODOT or United States government, all records, books, and documents of every kind and description that relate to this contract.

Nothing contained in this Agreement shall in any way modify the LPA's legal duties and obligations to maintain and/or retain its records under Ohio public records laws.

- 15.4 *Ohio Ethics Laws:* LPA agrees that it they are currently in compliance and will continue to adhere to the requirements of Ohio Ethics law as provided by Section 102.03 and 102.04 of the ORC.
- 15.5 [Conditional] *State Property Drug-Free Workplace Compliance:* In accordance with applicable State and Federal laws, rules, and policy, the LPA shall make a good faith effort to ensure that its employees and its contractors will not purchase, transfer, use, or possess alcohol or a controlled substance while working on State property.
- 15.6 *Governing Law:* This Agreement and any claims arising out of this Agreement shall be governed by the laws of the State of Ohio. Any provision of this Agreement prohibited by the laws of Ohio shall be deemed void and of no effect. Any litigation arising out of or relating in any way to this Agreement or the performance thereunder shall be brought only in the courts of Ohio, and the LPA

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<sup>6</sup> See 2 CFR §200.328.

<sup>7</sup> Per 2 CFR §200.502

hereby irrevocably consents to such jurisdiction. To the extent that ODOT is a party to any litigation arising out of or relating in any way to this Agreement or the performance thereunder, such an action shall be brought only in a court of competent jurisdiction in Franklin County, Ohio.

- 15.7 *Assignment:* Neither this Agreement nor any rights, duties, or obligations described herein shall be assigned by either party hereto without the prior express written consent of the other party.
- 15.8 *Merger and Modification:* This Agreement and its attachments constitute the entire Agreement between the parties. All prior discussions and understandings between the parties are superseded by this Agreement. Unless otherwise noted herein, this Agreement shall not be altered, modified, or amended except by a written agreement signed by both parties hereto.
- 15.9 *Severability:* If any provision of this Agreement is held to be invalid or unenforceable by a court of competent jurisdiction, such holding shall not affect the validity or the ability to enforce the remainder of this Agreement. All provisions of this Agreement shall be deemed severable.
- 15.10 *Signatures:* Any person executing this Agreement in a representative capacity hereby represents that he/she has been duly authorized by his/her principal to execute this Agreement on such principal's behalf.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed as of the day and year last written below.

**LPA: CITY OF FAIRFIELD**

**STATE OF OHIO  
OHIO DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_  
Mark Wendling  
Title: City Manager

By: \_\_\_\_\_  
Jerry Wray  
Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_



**BUT-FAIRFIELD ITS PHASE 2**

COUNTY-ROUTE-SECTION

**98771**

PID NUMBER

**27278**

AGREEMENT NUMBER

DUNS NUMBER

**Attachment 2**

**DIRECT PAYMENT OF CONTRACTOR**

At the direction of the LPA and upon approval of ODOT, payments for work performed under the terms of the Agreement by the LPA's contractor shall be paid directly to the contractor in the pro-rata share of Federal/State participation. The invoice package shall be prepared by the LPA as previously defined in this agreement, and shall indicate that the payment is to be made to the contractor. In addition, the invoice must state the contractor's name, mailing address and OAKS Vendor ID. Separate invoices shall be submitted for payments that are to be made to the contractor and those that are to be made to the LPA.

When ODOT uses Federal funds to make payment to the contractor, all such payments are considered to be expenditures of Federal funds received and also expended by the LPA (subrecipient). Accordingly, the LPA is responsible for tracking the receipts and payments and reporting the payments Federal (Receipts) Expenditures on the Schedule of Expenditures of Federal Awards (SEFA). An LPA that fails to report these funds accurately and timely may be required to restate the SEFA to comply with Federal reporting requirements.

We \_\_\_\_\_ request that all payments for the Federal/State share of the construction costs of this agreement performed by \_\_\_\_\_ be paid directly to \_\_\_\_\_.

Contractor Name:  
Oaks Vendor ID:  
Mailing Address:

\_\_\_\_\_  
LPA signature

LPA Name:  
Oaks Vendor ID:  
Mailing Address:

\_\_\_\_\_  
Approved, ODOT signature

## EXHIBIT B

### City of Fairfield - CMAQ Application

Intersection	Map Reference	Project Improvements or Upgrade																			
		Blue Toad & Centrac Travel Time Module	Pedestrian Signal Head Retrofit w/ LED & CD Module	CD Pedestrian Signal Fixtures	Pedestrian Push Buttons	Retrofit Internall Illuminated Signs to LED	Replace Outdated Cameras	Connect Cameras To Fiber Network	Connect School Flashers To Fiber Network	CCTV IP Cameras	Video Detection	Dilemma Zone Detection Radar	Upgrade Curb Ramps	Upgrade to Traffic Adaptive Operation	Server to Server Connection	Ethernet Spread Spectrum	Emergency Vehicle Preempt	Cabinet Replacement	UPS Units	UPS Generator	Backplate
Symmes @ SR 4	1			6	4	X					X		X							4	4
Fairfield Crossing @ SR4	2		6			X							X					X		4	4
Magie @ SR 4	3		6			X							X							4	4
Hicks Blvd. @ SR4	4	X	8			X							X							4	4
Nilles/Stadium Drive @ SR4	5	X				X			X		X		X					X			10
Camelot/Michael @ SR 4	6		6			X							X								8
Boehm/Jungle Jims @ SR 4	7		6			X			X	X			X								8
South Gilmore/Holden @SR4	8	X											X					X			12
North Gilmore/Holden @ Port Union	9					X							X				X	X		1	4
Bilstein Blvd. @ Fairfield High School	10					X										X		X		2	4
Lighthouse Dr./Homeward Way @ SR 4	11		4	4		X						2	X					X			8
Ross Rd/By-Pass 4 @ SR 4	12	X											X							4	4
Boymel Dr.@ SR 4	13		2	4					X	X			X				X	X		8	
Seward Rd. @ SR 4	14	X	6			X					X		X								9
Muhlhauser/ Mack Rd @ SR4	15	X				X					X		X					X		17	
Commercial Dr.@ SR4	16					X				X			X					X		10	
Woodridge Dr.@SR4	17	X				X							X	X						5	4
Le Saint Dr. @ Muhlhauser	18					X												X		8	
Port Union Rd. @ Seward Rd.	19																			4	
Union Centre Blvd. @ Seward Rd.	20			6	2	X										X		X		4	5
Port Union Rd. @ By- Pass 4	21																			6	6
Resor/Annandale @ South Gilmore Rd.	22		4							X			X					X		4	4
Mack Rd. @ South Gilmore Rd.	23	X	8		4	X							X					X		11	8
Cincinnati Financial @ South Gilmore Rd.	24					X							X					X		7	2
Kolb Dr @ South Gilmore Rd.	25	X											X							10	
Omniplex /Forest Fair @ South Gilmore Rd.	26								X				X							10	
I-275 WB Off Ramp (NB) @ South Gilmore Rd.	27	X											X								
EB Off Ramp @ Winton Rd	28	X											X								
Mercy Hospital @ Mack Rd	29		2	4		X						1	X							5	4
Magie Ave. @ Pleasant Ave.	30		8			X			X											4	4
Patterson Dr. @ Pleasant Ave.	31		6			X														4	2
Nilles Rd. @ Pleasant Ave.	32		8			X	X											X		5	3
Wessel Dr. @ Pleasant Ave.	33		8			X	X													4	4
Evaile Dr. @ Pleasant Ave.	34		4		2					X								X		4	2
Resor Rd. @ Pleasant Ave.	35			4	2	X		X										X		4	4
Hunter Rd.@ Pleasant Ave.	36		8							X	X							X		4	4



There are 61 Traffic Signals

Gilmore Group (10)

Downtown Group (11)

Winton Group (5)

Dixie North Group (8)

Dixie South Group (13)

Pleasant South Group (4)

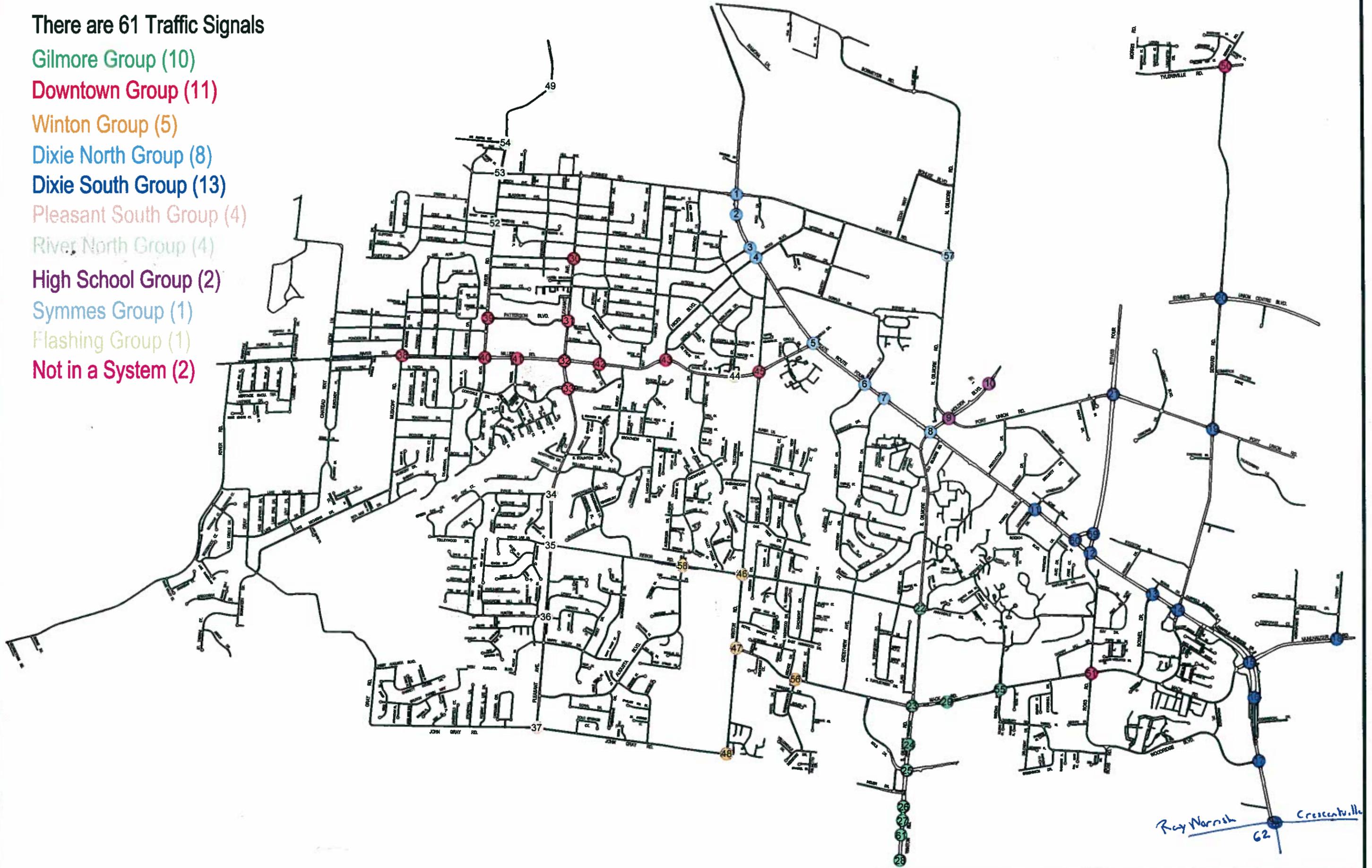
River North Group (4)

High School Group (2)

Symmes Group (1)

Flashing Group (1)

Not in a System (2)



ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO EXECUTE A LOCAL PUBLIC AGENCY (LPA) AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE BUT-FAIRFIELD ITS PHASE 2 PROJECT AND DECLARING AN EMERGENCY.

PID No. 98771  
BUT-Fairfield ITS Phase 2

WHEREAS; on August 10, 2015, the City Council of the City of Fairfield, Butler County, Ohio met with the following members present:

WHEREAS; Section 5501.03(C) of the Ohio Revised Code provides that the Director of the Ohio Department of Transportation (ODOT) may coordinate the activities of the Department with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions; and

WHEREAS; the BUT-Fairfield ITS Phase 2 project is a transportation activity eligible to receive federal/state funding; and

WHEREAS; the City of Fairfield, Ohio (LPA) has received funding approval for the project listed above from the Program Manager having responsibility for the federal/state funds involved, and

WHEREAS; it is the mutual desire of both ODOT and the LPA to have the LPA serve as the responsible lead agency for the administration of the project; and

WHEREAS; the City of Fairfield, Ohio authorizes the City Manager to enter into an agreement with ODOT for the above mentioned improvements; and

WHEREAS; a motion was made by Councilmember \_\_\_\_\_ and duly seconded by Councilmember \_\_\_\_\_ to adopt the following ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized on behalf of the City of Fairfield, Ohio, to execute the agreement with the Ohio Department of Transportation

(ODOT) for the BUT-Fairfield ITS Phase 2 Project in accordance with the agreement on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the project be expedited to promote and improve highway safety; wherefore, this ordinance shall take effect immediately upon its passage.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	Emergency _____
Third Reading	_____	

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council



**City of Fairfield, Ohio  
Bid Opening - Results**

**Project(s): 2015 Curb Ramp Improvements**

**Project Estimate: \$80,000**

**Date: Monday July 27, 2015(City of Fairfield, Council Chambers)**

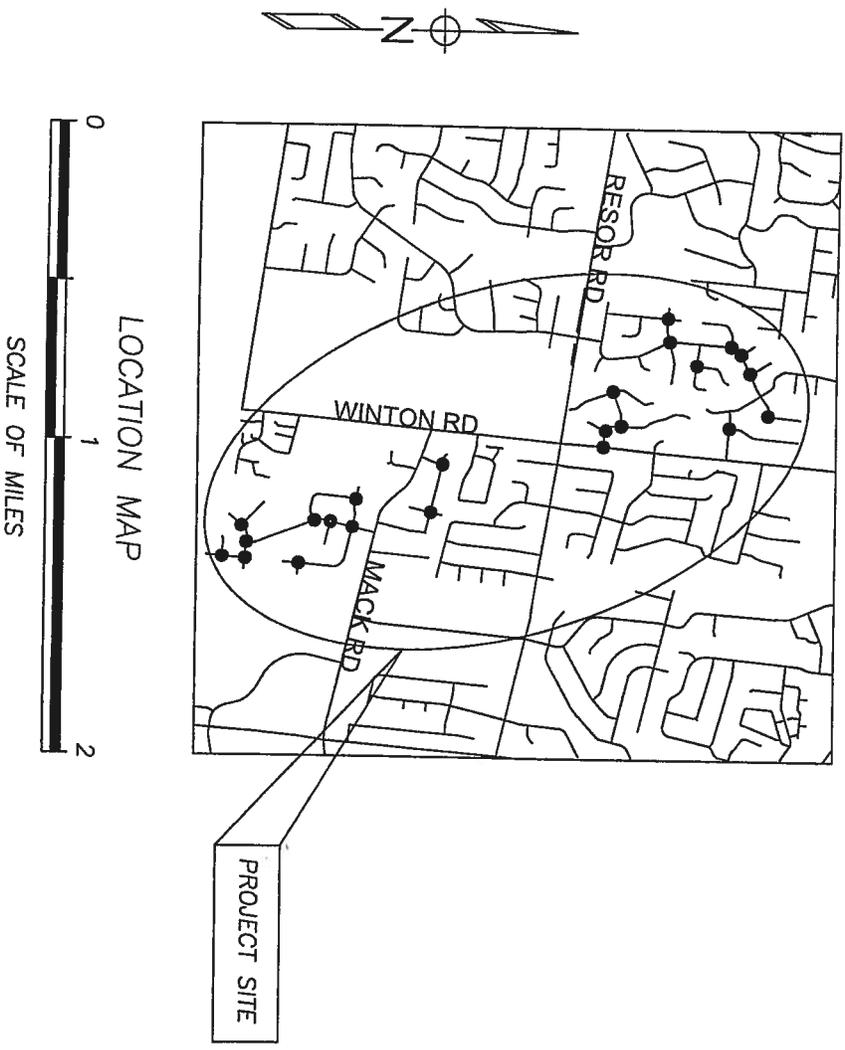
<b>Contractor (Address &amp; Phone)</b>	<b>Base Bid</b>	<b>Alternate Bid</b>	<b>Addendum (s)</b>	<b>Bid Security</b>	<b>Non- Collusion Affidavit</b>	<b>PP Taxes Affidavit</b>
R.A. Miller Construction Co. Inc. 4148 Augspurger Road Hamilton, OH 45011 513-896-5011	\$82,456.95	\$15,649.80	n/a	Yes - Bond	Yes	Yes
Adleta Construction P.O. Box 15872 Cincinnati, OH 45215 513-554-1469	\$129,897.00	\$23,938.00	n/a	Yes - Bond	Yes	Yes
Prus Construction Co. 5325 Wooster Road Cincinnati, OH 45226 513-321-7774	\$102,497.00	\$19,448.00	n/a	Yes - Bond	Yes	Yes

\*\* These bids will be reviewed by the Public Works Department and a recommendation will be made to Council. There is no guarantee that the contract will be awarded to the lowest bidder. Contracts are awarded to the bidder deemed to be the best and the lowest bid.

# 2015 CURB RAMP IMPROVEMENTS

SHEARWATER, CHESAPEAKE, LAFORGE VICINITY

CITY OF FAIRFIELD  
BUTLER COUNTY, OHIO



ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH R.A. MILLER CONSTRUCTION CO., INC. FOR THE REPLACEMENT OF EXISTING CURB RAMPS IN THE SHEARWATER, CHESAPEAKE AND LAFORGE VICINITY AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. The City Manager is hereby authorized to enter into a contract with R.A. Miller Construction Co., Inc. for the replacement of existing curb ramps in the Shearwater, Chesapeake and LaForge vicinity in accordance with the bid on file in the office of the City Manager.

Section 2. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the work is to be completed during this construction season; wherefore, this ordinance shall take effect immediately upon its passage.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	Emergency _____
Third Reading	_____	

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council



ORDINANCE NO. \_\_\_\_\_

ORDINANCE ADOPTING AN UPDATED SERVICE DELIVERY (ORGANIZATIONAL) CHART OF THE CITY OF FAIRFIELD, OHIO AND DECLARING AN EMERGENCY.

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

- Section 1. Pursuant to §7.04(C) of the Charter of the City of Fairfield, Ohio, the updated service delivery (organizational) chart for the City of Fairfield, Ohio which is attached hereto as Exhibit "A" and incorporated herein by reference is hereby adopted.
- Section 2. Ordinance No. 45-12 and all other ordinances or resolutions which are inconsistent herewith are hereby repealed.
- Section 3. This Ordinance is hereby declared to be an emergency measure necessary for the urgent benefit and protection of the City and its inhabitants for the reason that the amendment be effective to coincide with the employment of the new Assistant City Manager; wherefore, this ordinance shall take effect immediately upon its passage.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	
Third Reading	_____	

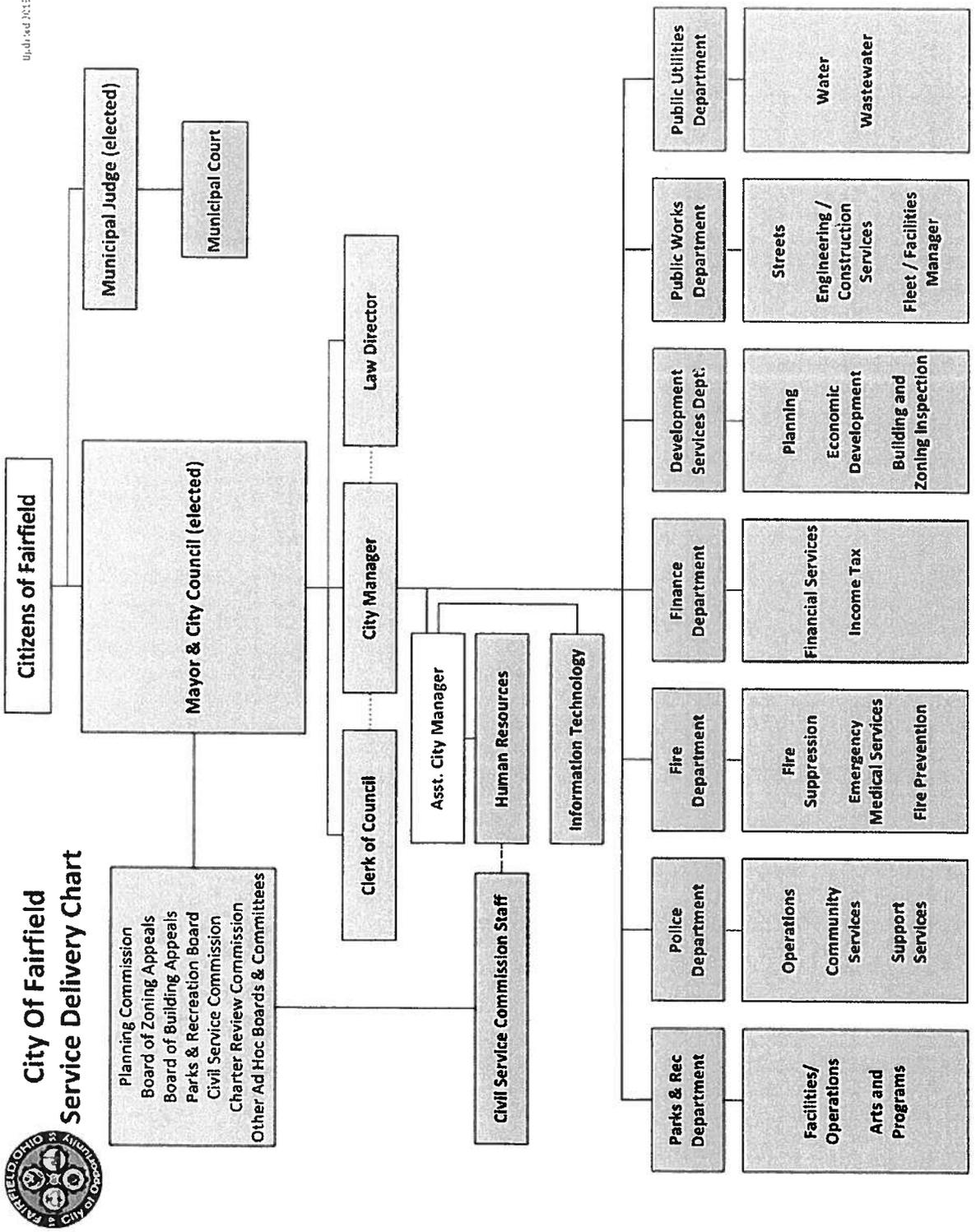
ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council

Exhibit



Revised 2011

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION

ITEM:

August 10, 2015

Request for appropriation for contractual agenda items

FINANCIAL IMPACT:

\$345,000.00 from noted funding source

SYNOPSIS:

The following appropriations have been requested to fund a contract appearing under New Business on Council's meeting agenda dated August 10, 2015:

- \$87,000 for the purchase of a Focus3D X130 Laser Scanning System, including applicable licensing, software, training and accessories;
- \$170,000 for inversion re-lining of sanitary sewer lines;
- \$88,000 for replacement of existing curb ramps in Shearwater, Chesapeake and LaForge vicinity

BACKGROUND:

Please refer to specific Council Communications dated August 10, 2015 for a description of these items.

RECOMMENDATIONS:

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

LEGISLATIVE ACTIONS:

Suspension of Rules & Adoption Requested?

yes

If yes, explain  
no above

Emergency Provision Needed?

yes

If yes, explain  
no above

Prepared by: Alaska Wilson

Approved for Content by: Alaska Wilson

Financial Review (where applicable) by: Mary Ryan

Legal Review (where applicable) by: [Signature]

Accepted by Council Agenda: Alaska Wilson

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AMEND ORDINANCE NO. 109-14 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2015, AND ENDING DECEMBER 31, 2015."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 109-14, the 2015 Appropriation Ordinance, is hereby amended in the following respects:

<b>From:</b>	<b>Unappropriated Sewer Replacement &amp; Improvement Fund</b>	<b>\$170,000</b>
<b>To:</b>	62316025-252000 Improvements Other Than Building <i>(2015 Sanitary Sewer Lining)</i>	\$170,000

<b>From:</b>	<b>Unappropriated Street Improvement Fund</b>	<b>\$88,000</b>
<b>To:</b>	40116025-252000 Improvements Other Than Building <i>(Curb &amp; Gutter Replacement for American with Disabilities Act)</i>	\$88,000

<b>From:</b>	<b>Unappropriated Law Enforcement Fund</b>	<b>\$87,000</b>
<b>To:</b>	21131025-253200 Capital Equipment <i>(Traffic Crash Reconstruction Equipment)</i>	\$87,000

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed	_____	_____
		Mayor's Approval
Posted	_____	
First Reading	_____	Rules Suspended _____
Second Reading	_____	
Third Reading	_____	

ATTEST:

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Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

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Clerk of Council

Active Clients\City of Fairfield\Ordinances\2015\Contractual 8-10 - Ord

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL COMMUNICATION

ITEM:

August 10, 2015

Request for appropriation for non-contractual agenda items

FINANCIAL IMPACT:

\$151,075.00 from noted funding source

SYNOPSIS:

The following appropriations have been requested:

- \$15,000 for purchase of fire hydrants;
- \$16,500 for replacement of twenty-eight (28) outdoor lighting fixtures at Water Treatment Plant;
- \$7,000 for replacement of 110-foot section of security fence between Water Treatment Plant and Waterworks Park and addition of approximately 200 feet of new security fence between the Water Treatment Plant and Pleasant Run Creek;
- \$30,000 for asphalt and pavement repairs and improvements at Water Treatment Plant;
- \$30,000 for engineering, bidding and construction administrative support services as related to water main replacement work on Pleasant Avenue;
- \$30,000 for installation of public sanitary sewer force main at Gray Road;
- \$22,575 for purchase and installation of four (4) video camera units for police vehicles.

BACKGROUND:

Please refer to specific Council Communications dated August 10, 2015 for a description of these items.

RECOMMENDATIONS:

It is recommended that City Council suspend the rules requiring a second and third reading of this Ordinance and adopt the appropriations listed above.

LEGISLATIVE ACTIONS:

Suspension of Rules & Adoption Requested?

yes

If yes, explain no above

Emergency Provision Needed?

yes

If yes, explain no above

Prepared by: Heather Wilson

Approved for Content by: Heather Wilson

Financial Review (where applicable) by: Heather Wilson / MH

Legal Review (where applicable) by: John Casanova

Accepted by Council Agenda: Heather Wilson

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

ITEM NO. 1174

**ITEM:**

DATE: 8/10/2015

An appropriation of \$15,000.00 is being requested for the purchase of fire hydrants.

**FINANCIAL IMPACT:**

Funding for this project is included in the approved 2015-2019 Capital Improvement Program, under project WAT-15-006 - Replace Fire Hydrants. The funding source is the Water Surplus Fund.

**SYNOPSIS:**

The project is designed to replace hydrants that are older and/or hydrants that are difficult to obtain replacement parts for repairs. Older hydrants are identified when roadway or other capital improvement projects are completed. A number of hydrants are also replaced as needed due to traffic accidents.

**BACKGROUND:**

The appropriation will provide a source of revenue to purchase replacement hydrants through the City's normal purchasing procedures.

**RECOMMENDATION:**

It is recommended that City Council authorize the appropriation of \$15,000 for the purchase of hydrants to be replaced under the City's 2015-2019 Capital Improvement Program for the Water Division. Rules suspension is requested to expedite the replacements.

**LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?**

If yes, explain above.

yes

no

**Emergency Provision Needed?**

If yes, explain above.

yes

no

Prepared by

*Archie Edger*

Approved for Content by:

*Allen M. Jankovich*

Financial Review (where applicable):

*Mary Ann*

Legal Review (where applicable):

*John Clemmens*

Accepted for Council Agenda:

*John Clemmens*

# UTILITY SALES AGENCY, LLC

7272 PLEASANT PLAIN RD  
CLAYTON, OHIO 45315

# USA QUOTE

Phone #	937.836.9105 / 888...	E-mail	lrogers@usameters.com	Date	7/17/2015	Estimate #	13824
Fax #	937.836.9120	Web Site	www.usameters.com	<b>ALL SALES ARE FOB SHIPPING</b>			
Name / Address			Rep	Project			
CITY OF FAIRFIELD 5350 PLEASANT AVENUE FAIRFIELD, OH 45014			JMG	CITY OF FAIRFIELD 5021 GROH LANE FAIRFIELD, OHIO 45014			
			<b>FREIGHT FOB</b>				
			Terms				
			NET 30 Days				

Item	Description	Qty	U/M	Rate	Total
AVK278006	4'0" BURY NOSTALGIC HYD , MODEL 2780,AWWA-ULFM, 3-WAY, 5" STORZ W/ CHAINS, HAMILTON-FAIRFIELD HOSE THREADS, ALL SS UPPER AND LOWER STEM AND BOLTS, W/ SS BREAK AWAY COUPLING, 6" MJ SHOE FIRE HYDRANT, 5 1/4" VALVE OPENING W/ONE PIECE EPDM COATED VALVE, OPEN LEFT, PAINTED SAFETY YELLOW	4	EA	2,083.0875	8,332.35T
AVK278008	5'0" BURY NOSTALGIC HYD , MODEL 2780,AWWA-ULFM, 3-WAY, 5" STORZ W/ CHAINS, HAMILTON-FAIRFIELD HOSE THREADS, ALL SS UPPER AND LOWER STEM AND BOLTS, W/ SS BREAK AWAY COUPLING, 6" MJ SHOE FIRE HYDRANT, 5 1/4" VALVE OPENING W/ONE PIECE EPDM COATED VALVE, OPEN LEFT, PAINTED SAFETY YELLOW	3	EA	2,172.85667	6,518.57T

This quotation is offered on the basis of supplying the entire job. All purchase orders are subject to acceptance by the home office in Clayton, Ohio. We quote all quantities listed as taken from the material list provided and according to our interpretation of the description. While USA makes every effort to generate an accurate quote, we do not guarantee its accuracy and completeness. We caution the contractor to check and verify the accuracy of all quantities and compliance with the project specifications very carefully before submitting your bid and/or placing an order. Should any additional material or material other than as described in this quotation be required, the cost would be extra and subject to change

<b>VERIFY MATERIALS &amp; QUANTITIES BEFORE ORDERING. FREIGHT MAY APPLY.</b>		<b>Subtotal</b>	\$14,850.92
Notes		<b>Sales Tax (0.0%)</b>	\$0.00
QUOTED BY: Signature _____		<b>Total</b>	\$14,850.92

# DREIER & MALLER, INC.

UTILITIES SPECIALTY PRODUCTS SALES & SERVICE

City of Fairfield

Date: 7/21/2015

Attn: Andy

Email:

Qty	Description	UOM	Sell Price	Total
4	City of Fairfield American AVK 2780 fire hydrant Nostalgic, with chains, Open Left, 6" MJ Shoe, 4' bury, with 2 - 2-1/2" NST hose nozzles & 1 - 5" Storz, SS Upper & Lower Stem, SS Bolts & Nuts, Safety Yellow	EA	\$2,497.40	\$9,989.60
3	City of Fairfield American AVK 2780 fire hydrant Nostalgic, with chains, Open Left, 6" MJ Shoe, 5' bury, with 2 - 2-1/2" NST hose nozzles & 1 - 5" Storz, SS Upper & Lower Stem, SS Bolts & Nuts, Safety Yellow	EA	\$2,611.30	\$7,833.90

Quote is good for 30 days.

Thank you for the opportunity to quote. Craig Wehner

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

ITEM NO. 15-009

**ITEM:**

DATE: 8/10/2015

An appropriation in the amount of \$16,500.00 is being requested for the replacement of twenty-eight (28) outdoor lighting fixtures at the Water Treatment plant (WTP).

**FINANCIAL IMPACT:**

Funding for this project is included in the approved 2015 Capital Improvements Program under project WAT-15-009 -Lighting Upgrades at the Water Treatment Plant. The funding source is the Water Surplus Fund.

**SYNOPSIS:**

This lighting upgrade project will replace older less efficient incandescent lighting with more energy efficient LED lighting fixtures; this project is part of an ongoing effort to improve electrical efficiency and reliability at the WTP. 10 parking lot pole lights and 18 other outdoor fixtures will be replaced through this project.

**BACKGROUND:**

In recent years, heightened awareness for a comprehensive program of security and surveillance at the WTP and other public facilities has become necessary. This project will enhance lighting at the WTP and improve surveillance capabilities.

Two proposals were received to replace the 28 lighting fixtures at the WTP.

**RECOMMENDATION:**

It is recommended that City Council authorize the appropriation of \$16,500.00 for the Water Treatment Plant Lighting Upgrade Project. Rules suspension is requested to expedite the replacement of the lighting fixtures.

LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?  If yes, explain above.  
yes no

Emergency Provision Needed?  If yes, explain above.  
yes no

Prepared by: Andrew Edley  
Approved for Content by: Adam M. Sauter  
Financial Review (where applicable): Mary Hagan  
Legal Review (where applicable): John Deenmore  
Accepted for Council Agenda: Lucretia Wilson



1250 N. Century Circle Cincinnati, Ohio 45246

QUOTATION

June 24, 2015

Ohio License # 27174

TO: Andy Eddy

KY ME # 14086

RE: New and Retrofit Lighting changes

KY CE # 12905

**01) Replace (7) 250 watt and (3) 400 watt Pole Light fixtures.**

Furnish labor and materials to install the new 7 LED lighting fixtures with 3-54 watt lamps and 3 new LED fixtures with 3-104 watt lamps on the existing poles as requested.

Cost before rebate: \_\_\_\_\_ **\$6,392.20**

Rebate that Schon Industrial will except: \_\_\_\_\_ **\$815.00**

Total cost to customer: \_\_\_\_\_ **\$5,576.20**

**02) Replace (3) 175 watt Maintenance Garage Fixtures**

Furnish labor and materials to replace (2) 175 watt fixtures @ one of the garages and (1) 175 watt fixture at the other garage with new LED fixtures and 39 watt lamps.

Cost before rebate: \_\_\_\_\_ **\$1,447.35**

Rebate that Schon Industrial will except: \_\_\_\_\_ **\$135.00**

Total cost to customer: \_\_\_\_\_ **\$1,312.35**

**03) Replace (2) 400 watt fixtures @ the Gate area.**

Furnish labor and materials to replace (2) 400 watt Metal Halide fixtures with new 7 LED fixtures and 78 watt lamps as requested.

Cost before rebate: \_\_\_\_\_ **\$1,637.35**

Rebate that Schon Industrial will except: \_\_\_\_\_ **\$240.00**

Total cost to customer: \_\_\_\_\_ **\$1,397.35**

**04) Replace (13) general lighting large wall pack fixtures on the building walls.**

Furnish labor and materials to replace (13) large 175 watt Metal Halide wall packs with new LED fixtures and 52 watt lamps as requested.

Cost before rebate: \_\_\_\_\_ **\$7,638.80**

Rebate that Schon Industrial will except: \_\_\_\_\_ **\$585.00**

Total cost to customer: \_\_\_\_\_ **\$6,693.80**

(4) ITEM

TOTAL :

14,979.70

Quotation is based on normal working hours of Monday – Friday, 7:00 AM -3:30 PM

Terms net 10 days upon receipt of invoice.

*Greg Schon*

Phone: 513.772.0502

Cell: 200-1460

Fax: 513.772.7888

E-mail: [gschon@schonindustrial.com](mailto:gschon@schonindustrial.com)



9787 Harwood Court.  
 Fairfield, Ohio 45014  
 office (513)467-9111/fax (513)467-9999

# Proposal

6/24/2015	2761
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City Of Fairfield Water Division  
 5021 Grove Lane  
 Fairfield, Ohio 45014

<b>Project: Lighting</b>	
Labor and materials to replace 13 large 175 watt Metal Halide wall packs with 13 new LED lights and 1-52 watt lamp each fixture Cost: \$8,148.00 Your total cost: \$7,563.00 -Energy Rebate that I will get: \$585.00	
Labor and materials to replace 2 400 watt Metal Halide lights with 7 new LED lights with 1-78 watt lamp in each light. Cost: \$1,787.00 Your total cost: \$1,547.00 -Energy Rebate that I will get: \$240.00	
Labor and material to replace 2 – 175 watt lights at the maintenance garage and 1-175 watt light at another garage with new LED lights with 1-39 watt lamp each. Cost: \$1,587.00 Your total cost: \$1,452.00 -Energy Rebate that I will get: \$135.00	
Labor and material replace 7 250 watt and 3 400 watt Metal Halide pole lights with 7 new LED lights with a 54 watt lamp each and 3 new LED lights with 3 -104 watt LED lights back on the poles that are existing. Cost: \$7,106.00 Your total cost: \$6,291.00 -Energy Rebate that I will get: \$815.00	
Total	18,628.00
Energy Rebate	<del>1,775.00</del>
<b>Total</b>	<b>\$16,853.00</b>



# Proposal

Page No. of Pages

## ROBINSON FENCE CO.

1635 Howell Ave.  
Hamilton, Ohio 45011  
(513) 867-0080 • Fax (513) 867-9418

PROPOSAL SUBMITTED TO <b>CITY OF FAIRFIELD WATER DIVISION</b>		PHONE <b>858-7775 829-3536</b>	DATE <b>July 14, 2015</b>
STREET <b>ATTN: Andreas Eddy 5021 Groh Lane</b>		JOB NAME	
CITY, STATE AND ZIP CODE <b>Fairfield, Ohio 45014</b>		JOB LOCATION	
ESTIMATOR	DATE OF PLANS	JOB PHONE	

We hereby submit specifications and estimates for:

Labor and materials to install 110' of 6' tall 9 gauge chain link fence with three (3) strands of barbed wire. Also, with bottom rail. Remove existing fence and haul away.....\$ 1,895.00

Labor and materials to install 200' of 8' tall 2X8 gauge total black vinyl chain link fence with three (3) strands of barbed wire.  
\$ 4,695.00

**TOTAL: AS STATED ABOVE.**

**Payment due within (30) days upon completion of contract work.**

We are covered by  
**Workmen's Compensation & Public Liability Insurance.**

The buyer assumes responsibility for all property lines, underground utilities, drainage tiles, and easements. As the buyer I am responsible for the location of the fence that is installed by Robinson Fence Co (Stake the area or get a survey). All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate. The installation of the fence will follow the lay of the land unless otherwise indicated. The seller shall be responsible for material defects only to the extent of the manufacture warranty. Robinson Fence Co is not responsible for the movement of fence due to settling/movement of the ground. We will assume no responsibility for vegetation. Obtaining permits is the duty of the buyer. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry any necessary insurance. Our worker's are fully covered by Workman's Compensation Insurance.

Authorized Signature

*Andreas Eddy*  
Note: This proposal may be withdrawn by us if not accepted within \_\_\_\_\_ days

Acceptance of Proposal - The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance \_\_\_\_\_

Signature \_\_\_\_\_

Signature \_\_\_\_\_

**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM:**DATE: 8/10/2015

An appropriation in the amount of \$30,000 is being requested for asphalt and pavement repairs and improvements at the Water Treatment Plant.

**FINANCIAL IMPACT:**

Funding for this project is included in the approved 2015-2019 Capital Improvements Program, under WAT-15-015 – Asphalt Replacement and Repairs. The funding source is the Water Replacement and Improvement Fund.

**SYNOPSIS:**

The project will allow for the repair of multiple base failures in the asphalt pavement as well as the installation of a new driveway and dumpster pad within the Water Treatment Plant.

**BACKGROUND:**

The project will improve the condition of the City's Water Treatment Plant. The work will be performed through existing Public Works' contracts for asphalt and concrete; contract 2015-18 (John R. Jurgensen) and contract 2015-07 (Prus Construction). Contract pricing will be honored. City Engineer's estimate for this work, based on contract pricing, is attached.

**RECOMMENDATION:**

It is recommended that City Council authorize the appropriation of \$30,000 for asphalt and pavement repairs at the Water Treatment Plant. Rules suspension is requested to expedite this work.

**LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?**  **If yes, explain above.**  
yes      no

**Emergency Provision Needed?**  **If yes, explain above.**  
yes      no

Prepared by: A. Sackenheim *AMS*

Approved for Content by: \_\_\_\_\_

Financial Review (where applicable): \_\_\_\_\_

Legal Review (where applicable): \_\_\_\_\_

Accepted for Council Agenda: \_\_\_\_\_



CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

ITEM NO. 11-7-12-14

**ITEM:**

DATE: 8/10/2015

An appropriation in the amount of \$30,000 is being requested for engineering, bidding, and construction administrative support services as related to water main replacement work on Pleasant Avenue. Support services to be provided by GRW Engineers, Inc.

**FINANCIAL IMPACT:**

Funding for this project is included in the approved 2015-2019 Capital Improvements Program, under WAT-15-02 – Small Water Line Improvements. The funding source is the Water Expansion Fund.

**SYNOPSIS:**

Engineering, bidding, and construction administrative support services are necessary to proceed with phase B and C of water main improvement work on Pleasant Avenue. This water main improvement project was identified as a priority in the City's *Water Quality and Criticality Analysis* report (2012).

**BACKGROUND:**

The initial and most critical work (Phase A) related to the Pleasant Avenue water main replacement project was completed in June 2015. Phase B and C of the project will be bid and likely constructed in late summer-early fall 2015. GRW Engineers, Inc. will provide support services to facilitate an efficient and effective project.

Support services proposal by GRW Engineers, Inc. is attached.

**RECOMMENDATION:**

It is recommended that City Council authorize the appropriation of \$30,000 for engineering, bidding, and construction administrative support services as related to water main replacement work on Pleasant Avenue. Rules suspension is requested to expedite this work.

LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?  If yes, explain above.  
yes no

Emergency Provision Needed?  If yes, explain above.  
yes no

Prepared by: A. Sackenheim *AMS*  
Approved for Content by: *[Signature]*  
Financial Review (where applicable): *[Signature]*  
Legal Review (where applicable): *[Signature]*  
Accepted for Council Agenda: *[Signature]*



801 Corporate Drive  
Lexington, KY 40503  
Tel 859 / 223-3999  
Fax 859 / 223-8917

Engineering  
Architecture  
Planning  
GIS  
Aviation Consultants

Arlington, TX  
Cincinnati, OH  
Columbus, OH  
Indianapolis, IN  
Knoxville, TN  
Louisville, KY  
Nashville, TN

GRW Engineers, Inc.

May 21, 2012

Mr. Adam Sackenheim  
Public Utilities Director  
City of Fairfield, Ohio  
5201 Groh Lane  
Fairfield, Ohio 45014

Re: Engineering Services Proposal  
Pleasant Avenue Water Main Replacement  
Section B and Section C  
GRW Project No. 4189-02

Dear Adam,

In accordance with our recent conference call, we understand that the city of Fairfield wishes to proceed with construction of Section B and Section C of the referenced Pleasant Avenue Water Main Replacement project. We understand that the project would be advertised for bids on August 14<sup>th</sup> (Friday) and August 21<sup>st</sup> (Friday) with the bid opening to be scheduled for 3:00 PM on Monday, August 31, 2015.

We also understand that the contract would be awarded in late September (assume "Notice to Proceed" in early October) with a 90 day construction contract time and the work to be accomplished in October, November and December (and possibly early January).

We will proceed to update the construction drawings to reflect the proposed construction of Section B and Section C as a single combined bid package. We will also update the Bid Form as well as Bidding Documents, Contract Documents and detailed specifications.

We would propose to provide these engineering services as follow:

<u>Task</u>	<u>Fee</u>
1. Revise/Update Construction Drawings, Bid Form, Bidding Documents, Contract Documents and Detailed Specifications	\$7,500
2. Bidding Phase Services	\$7,000
3. Construction Administration Services	Hourly (est. \$12,000) <sup>(1)</sup>
4. Resident Inspection Services	----- <sup>(2)</sup>

<sup>(1)</sup> Estimate based on 3 months construction

<sup>(2)</sup> Resident inspection services provided by the City of Fairfield

Please call if you have questions concerning the matter.

Very truly yours,

Bob C. Smallwood, P.E.  
Vice President

RCS/rb

cc: Andy Eddy

CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION

ITEM NO. 113 WDP-1

**ITEM:**

DATE: 08/10/15

An appropriation in the amount of \$30,000.00 is being requested for installation of a public sanitary sewer force main at Gray Road.

**FINANCIAL IMPACT:**

Funding for this project is included in the approved 2015-2019 Capital Improvements Program, under WWD-15-013 – Sanitary Sewer Extensions. The funding source is the Sewer Expansion Fund.

**SYNOPSIS:**

This request is for an appropriation for construction services necessary to install a new a public sanitary sewage force main at 5647 and 5657 Gray Road. These two residential locations on Gray Road are currently utilizing septic tank systems for the disposal of sanitary sewage. These septic tank systems have failed. The installation of the new force main will provide reliable sanitary service for the residents and will generate revenue for the Sewer Expansion and Revenue Funds. The project will also improve local health and environmental conditions.

**BACKGROUND:**

The Public Utilities and Public Works Departments recently collaborated on the design and specifications necessary for the installation of a public 600' 2" low pressure sanitary force main. The force main will provide sanitary service for residents currently on failed septic tank systems. The force main will discharge into an existing gravity sanitary sewer manhole. The force main is designed for the potential future connection of additional residential locations and Marsh Lake Park. The failed septic tank systems will be abandoned per Butler County Board of Health regulations and private residential low pressure pump systems will be installed connecting to the new force main.

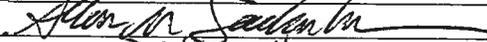
Public Works Division staff requested four proposals (attached) for the required construction services. It is recommended that Smithcorp Inc. be awarded the job; Smithcorp Inc. provided the lowest and best proposal.

**RECOMMENDATION:**

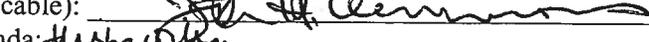
It is recommended that City Council authorize an appropriation in the amount of \$30,000.00 from the Sewer Expansion Fund for construction services required to install a public sanitary sewage force main at 5647 and 5657 Gray Road. Rules suspension is requested to expedite this work.

<b>LEGISLATIVE ACTION: Suspension of Rules and Adoption Requested?</b>	<input checked="" type="checkbox"/>	<b>If yes, explain above.</b>
	yes      no	
<b>Emergency Provision Needed?</b>	<input checked="" type="checkbox"/>	<b>If yes, explain above.</b>
	yes      no	

Prepared by: Jason Hunold 

Approved for Content by: Allen M. Sadtler 

Financial Review (where applicable): May Hogg 

Legal Review (where applicable): John H. Clemens 

Accepted for Council Agenda: Alisa Wilson 

CITY OF FAIRFIELD, OHIO  
SECTION N  
PROPOSAL FORM

2015 GRAY ROAD SANITARY SEWER -  
FORCE MAIN INSTALLATION

ODOT#	Description	Est. Qty	Unit Price	Total Price
201	Clearing and Grubbing	Lump Sum	\$ 1,000. <sup>00</sup>	\$ 1,000. <sup>00</sup>
604	Core Existing Manhole, As Per Plan	1 Each	\$ 100. <sup>00</sup>	\$ 100. <sup>00</sup>
604	Flushing Manhole, As Per Plan	1 Each	\$ 1,500. <sup>00</sup>	\$ 1,500. <sup>00</sup>
604	Manhole, As Per Plan	1 Each	\$ 1,000. <sup>00</sup>	\$ 1,000. <sup>00</sup>
607	Fence, Remove and Re-erect	40 Feet	\$ 1. <sup>00</sup>	\$ 40. <sup>00</sup>
611	2" HDPE Directionally Drilled w/ 48" min. cover, As Per Plan	490 Feet	\$ 33. <sup>00</sup>	\$ 16,170. <sup>00</sup>
623	Construction Layout Stakes	Lump Sum	\$ 250. <sup>00</sup>	\$ 250. <sup>00</sup>
624	Mobilization	Lump Sum	\$ 1,500. <sup>00</sup>	\$ 1,500. <sup>00</sup>
659	Seeding and Mulching, As Per Plan	Lump Sum	\$ 1,000. <sup>00</sup>	\$ 1,000. <sup>00</sup>

The total amount of the bid on all of the estimated quantities given above to the sum of:

\$ 22,560.<sup>00</sup>  
(amount in figures)

Twenty Two Thousand Five Hundred and Sixty Dollars.<sup>00</sup>  
(amount in words)

The undersigned proposes to furnish work meeting the specifications attached hereto for the sums listed. The City of Fairfield reserves the right to delete any item or change the quantity of any item listed above.

<u>M. J. Smith</u>	SIGNATURE
<u>MARVIN J SMITH</u>	NAME
<u>PRESIDENT</u>	TITLE
<u>SMITH CORP, INC.</u>	COMPANY
<u>130 NOWER DR.</u>	ADDRESS
<u>CINCINNATI OH. 45215</u>	CITY/STATE/ZIP
<u>513.782.8882</u>	TELEPHONE
<u>20-0474260</u>	Social Security # of Company Owner or Federal I.D.#

CITY OF FAIRFIELD, OHIO  
SECTION N  
PROPOSAL FORM

2015 GRAY ROAD SANITARY SEWER -  
FORCE MAIN INSTALLATION

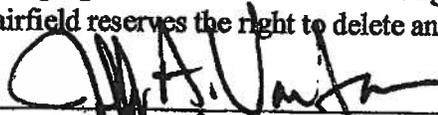
ODOT#	Description	Est. Qty	Unit Price	Total Price
201	Clearing and Grubbing	Lump Sum	\$ 1500 <sup>-</sup>	\$ 1500 <sup>-</sup>
604	Core Existing Manhole, As Per Plan	1 Each	\$ 1000 <sup>-</sup>	\$ 1000 <sup>-</sup>
604	Flushing Manhole, As Per Plan	1 Each	\$ 1925 <sup>-</sup>	\$ 1925 <sup>-</sup>
604	Manhole, As Per Plan	1 Each	\$ 2200 <sup>-</sup>	\$ 2200 <sup>-</sup>
607	Fence, Remove and Re-erect	40 Feet	\$ 35 <sup>-</sup>	\$ 1400 <sup>-</sup>
611	2" HDPE Directionally Drilled w/ 48" min. cover, As Per Plan	490 Feet	\$ 23 <sup>-</sup>	\$ 11,270 <sup>-</sup>
623	Construction Layout Stakes	Lump Sum	\$ 1000 <sup>-</sup>	\$ 1000 <sup>-</sup>
624	Mobilization	Lump Sum	\$ 2800 <sup>-</sup>	\$ 2800 <sup>-</sup>
659	Seeding and Mulching, As Per Plan	Lump Sum	\$ 1000 <sup>-</sup>	\$ 1000 <sup>-</sup>

The total amount of the bid on all of the estimated quantities given above to the sum of:

\$ 24,095.00  
(amount in figures)

TWENTY FOUR THOUSAND, NINETY FIVE & <sup>00</sup>/<sub>100</sub> DOLLARS  
(amount in words)

The undersigned proposes to furnish work meeting the specifications attached hereto for the sums listed. The City of Fairfield reserves the right to delete any item or change the quantity of any item listed above.

	SIGNATURE
JEFFREY A. VANFOSSEN	NAME
PRESIDENT	TITLE
WELSH EXCAVATION Co., INC.	COMPANY
5780 SR 128	ADDRESS
CLEVES, OH IO 45002	CITY/STATE/ZIP
513-353-9014	TELEPHONE
31-1182125	Social Security # of Company Owner or Federal I.D.#

**CITY OF FAIRFIELD, OHIO  
SECTION N  
PROPOSAL FORM**

**2015 GRAY ROAD SANITARY SEWER -  
FORCE MAIN INSTALLATION**

ODOT#	Description	Est. Qty	Unit Price	Total Price
201	Clearing and Grubbing	Lump Sum	\$ 580.00	\$ 580.00
604	Core Existing Manhole, As Per Plan	1 Each	\$ 3100.00	\$ 3100.00
604	Flushing Manhole, As Per Plan	1 Each	\$ 4100.00	\$ 4100.00
604	Manhole, As Per Plan	1 Each	\$ 4100.00	\$ 4100.00
607	Fence, Remove and Re-erect	40 Feet	\$ 15.00	\$ 600.00
611	2" HDPE Directionally Drilled w/ 48" min. cover, As Per Plan	490 Feet	\$ 17.00	\$ 8330.00
623	Construction Layout Stakes	Lump Sum	\$ 650.00	\$ 650.00
624	Mobilization	Lump Sum	\$ 400.00	\$ 400.00
659	Seeding and Mulching, As Per Plan	Lump Sum	\$ 3200.00	\$ 3200.00

Extra 1/4 Taps 2 Each \$ 1750.00 \$ 3500.00

The total amount of the bid on all of the estimated quantities given above to the sum of:

$\frac{\$ 25060.00}{\text{Bid}} \quad / \quad \frac{28560.00}{\text{Bid w/ 1/4 Taps}}$   
 (amount in figures)

~~Twenty Five Thousand Sixty~~      /      Twenty Eight Thousand Five Hundred and Sixty  
 (amount in words)

The undersigned proposes to furnish work meeting the specifications attached hereto for the sums listed. The City of Fairfield reserves the right to delete any item or change the quantity of any item listed above.

<u>Alfy W. Brennan</u>	SIGNATURE
<u>Bryce W. Brennan</u>	NAME
<u>Manager / Member</u>	TITLE
<u>W Brennan Excavating LLC</u>	COMPANY
<u>PO Box 782</u>	ADDRESS
<u>Ross OH 45061</u>	CITY/STATE/ZIP
<u>513-738-0360</u>	TELEPHONE
<u>31-1687372</u>	Social Security # of Company Owner or Federal I.D.#

**CITY OF FAIRFIELD, OHIO  
SECTION N  
PROPOSAL FORM**

**2015 GRAY ROAD SANITARY SEWER -  
FORCE MAIN INSTALLATION**

ODOT#	Description	Est. Qty	Unit Price	Total Price
201	Clearing and Grubbing	Lump Sum	\$	\$
604	Core Existing Manhole, As Per Plan	1 Each	\$	\$ 580.
604	Flushing Manhole, As Per Plan	1 Each	\$	\$ 1500
604	Manhole, As Per Plan	-1 Each	\$	\$ 2500
607	Fence, Remove and Re-erect	40 Feet	\$	\$ 580.00
611	2" HDPE Directionally Drilled w/ 48" min. cover, As Per Plan	490 Feet	\$	\$ 2750.
623	Construction Layout Stakes	Lump Sum	\$	\$ 500.00
624	Mobilization	Lump Sum	\$	\$ 750.00
659	Seeding and Mulching, As Per Plan	Lump Sum	\$	\$ 3000.

The total amount of the bid on all of the estimated quantities given above to the sum of:

\$ 41,660  
(amount in figures)

Forty one Thousand Six hundred & sixty dollars  
(amount in words)

The undersigned proposes to furnish work meeting the specifications attached hereto for the sums listed. The City of Fairfield reserves the right to delete any item or change the quantity of any item listed above.

Frank R. Salem SIGNATURE  
Frank R. Salem NAME  
Owner TITLE  
AA Plumbing COMPANY  
3259 Home woodway ADDRESS  
Fairfield OH, 45014 CITY/STATE/ZIP  
(513) 874-1888 TELEPHONE  
20-3177272 Social Security# of Company Owner or Federal I.D.#

**CITY OF FAIRFIELD, OHIO  
CITY COUNCIL MEETING COMMUNICATION**

**ITEM: Replacement Mobile Video Cameras****August 10, 2015**

The Police Department requests the purchase of four video camera units for police vehicles. This project was approved in the 2015 CIP POL-15-003.

**FINANCIAL IMPACT:**

This purchase will be a one-time expenditure, and purchased through Ohio State Term Schedule STS845.

**BACKGROUND:**

Police car videos have become standard equipment on our vehicles. These cameras have proven valuable to both the city and individual officers. These four units will replace cameras which have incurred a high repair cost and are beyond economical repair.

**RECOMMENDATION:**

It is recommended that Council authorize the purchase from Camp Safety Equipment, 8216 Blue Ash Road, Cincinnati, OH 45236 for the purchase of four video camera units and installation for \$22,573.08, and that Council appropriate \$22,575.00 from the .2% Capital Improvement Fund for the purchase of the listed equipment and expenses as described above.

<b>LEGISLATION ACTION:</b>	Suspension of Rules and Adoption Requested?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO
	Emergency Provision Needed?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
		YES	NO

Prepared by: Michael J. Dickey, Chief of Police

Approved for Content by: Michael J. Dickey, Chief of Police

Financial Review (where applicable): Mary Hopton, Director of Finance *Mary Hopton* /MHLegal Review (where applicable): John Clemmons, Law Director *John Clemmons*Accepted for Council Agenda: Alisha Wilson, Clerk of Council *Alisha Wilson*

ORDINANCE NO. \_\_\_\_\_

ORDINANCE TO AMEND ORDINANCE NO. 109-14 ENTITLED "AN ORDINANCE TO MAKE ESTIMATED APPROPRIATIONS FOR THE EXPENSES AND OTHER EXPENDITURES OF THE CITY OF FAIRFIELD, OHIO, DURING A PERIOD BEGINNING JANUARY 1, 2015, AND ENDING DECEMBER 31, 2015."

BE IT ORDAINED by the Council of the City of Fairfield, Ohio, that:

Section 1. Ordinance No. 109-14, the 2015 Appropriation Ordinance, is hereby amended in the following respects:

<b>From:</b>	<b>Unappropriated Water Surplus Fund</b>	<b>\$38,500</b>
To:	60516025-253200 Capital Equipment <i>(Fire Hydrants)</i>	\$15,000
To:	60516025-252000 Improvements Other Than Building <i>(Replacement Lighting at Water Plant (\$16,500) and Replacement Fencing between Water Treatment Plant and Waterworks Park (\$7,000))</i>	\$23,500
<b>From:</b>	<b>Unappropriated Water Replacement and Improvement Fund</b>	<b>\$30,000</b>
To:	60416025-252000 Improvements Other Than Building <i>(Asphalt Repairs at Water Treatment Plant)</i>	\$30,000
<b>From:</b>	<b>Unappropriated Water Expansion Fund</b>	<b>\$30,000</b>
To:	40716023-233300 Engineering Services <i>(Engineering Services for Pleasant Avenue Main Replacement)</i>	\$30,000
<b>From:</b>	<b>Unappropriated Sewer Expansion Fund</b>	<b>\$30,000</b>
To:	40816025-252000 Improvements Other Than Building <i>(Sanitary Line Extension on Gray Road)</i>	\$30,000

From: **Unappropriated Capital Improvement Fund** \$22,575  
To: 40216025-253200 Capital Equipment \$22,575  
(Video Camera Units)

Section 2. This Ordinance shall take effect at the earliest period allowed by law.

Passed \_\_\_\_\_  
Posted \_\_\_\_\_  
First Reading \_\_\_\_\_  
Second Reading \_\_\_\_\_  
Third Reading \_\_\_\_\_

Mayor's Approval \_\_\_\_\_  
Rules Suspended \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Clerk of Council

This is to certify that this Ordinance has been duly published by posting and summary publication as provided by Charter.

\_\_\_\_\_  
Clerk of Council