



**City of Rochester Hills
AGENDA SUMMARY
FINANCIAL ITEMS**

**1000 Rochester Hills Dr.
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Legislative File No: 2005-0775

TO: Mayor and City Council Members
FROM: Roger H. Rousse, Director of Public Service
DATE: November 30, 2005
SUBJECT: Clinton River Valley Homeowners' Association Storm Sewer Repair
City File No. E05-024

REQUEST:

City Council is requested to authorize the Department of Public Services to hire DiPonio and Morelli Construction Co., the City's emergency underground repair contractor, to repair the storm sewer in Clinton River Valley Park, a private Subdivision Open Space behind the rear yard of the home at 2824 River Trail. The cost of the pipe repair and slope stabilization is estimated to be approximately \$74,000.00. The Department of Public Service requests a 5% contingency to cover unforeseen circumstances for a total purchase order amount of \$77,700.00.

REASON FOR PURCHASE:

The Clinton River Valley Homeowners' Association has requested, as a condition of the Open Space Agreement, that the City initiate storm sewer repair and assess the homeowners their prorata share. The one time assessment will take place after the repairs have been completed and will be distributed amongst the 77 property owners of record.

The storm sewer end-section at the outfall to the Clinton River separated from the storm sewer pipe, creating a gap that caused the steep slope of the riverbank to erode. It appears that the end-section separation was caused by the accumulation of debris behind the bar screen. The separation and debris behind the bar screen need to be repaired to prevent the continued erosion of the steep slope.

The steep bank erosion caused by the separated pipe, and the under cutting of the bank, have left a deep and wide rill in the steep slope. If not stabilized, the homeowners are concerned that the slope will continue to erode or sluff into the Clinton River.

The ownership and maintenance of the Clinton River Valley Park, and the storm sewer in Clinton River Valley, are the responsibility of the subdivision's Homeowners' Association. The agreement for the Subdivision Open Space Plan – Clinton River Valley Subdivision, dated January 6, 1982, and recorded in Liber 10275, page 348, Oakland County Records, states that in the event the Association shall at any time fail to maintain the park area in reasonable order and condition, the City may, after a public hearing, enter upon the park and maintain it. The agreement further provides for, at the City's option, to subrogate the right of the Association against its members to the extent of the cost of the maintenance.

The City has been working with the Association on a cooperative effort to have the storm sewer repaired and the bank stabilized. Their request to the City of Rochester Hills is the result of these efforts.

In addition to the repair of the pipe and restoration, it is proposed that the City of Rochester Hills use its option to subrogate the right of the Association against its members to the extent of the cost of the repairs and related restoration to the storm pipe and said repairs. The cost would be spread prorata to each lot owner in the subdivision.

The Department of Public Service has met with Mrs. Lynn Loeb, President of the Clinton River Valley Homeowners' Association. The Board of Directors of the Association has stated that they are extremely concerned about the seriousness of the condition, and have requested that the City affect the repairs as soon as possible. The City of Rochester Hills has already received a cost for the work to be completed by our contracted contractor, with a time and material estimated cost of approximately \$74,000.00. The Department of Public Service requests a 5% contingency to cover unforeseen circumstances associated with the storm sewer repair for a total purchase order amount of \$77,700.00.

PROCESS:

Vendor Name and Address:

DiPonio & Morelli Construction Co.
2673 E. Maple Road
Milford, MI 48381

Reason for Selection:

Quality Based Selection

Method of Purchase:

Contract between City & DiPonio & Morelli
Dated May 5, 2005

BUDGET:

Fund Name	Department Account No	Account No. Description	Budget Amount	Cost	Remaining Budget
Drains	244.807000	Contractual Services	\$80,000	\$77,700	\$2,300

RECOMMENDATION:

It is recommended that the Rochester Hills City Council authorize the issuance of a purchase order to DiPonio and Morelli Construction Co. to repair the storm sewer and stabilize the slope in the amount of \$77,700.00. The City will assess the cost equally to the lot owners of Clinton River Valley Subdivision.

RESOLUTION

NEXT AGENDA ITEM

RETURN TO AGENDA

APPROVALS:	SIGNATURE	DATE
Department Review		
Department Director		
Budget Content: Finance Director		
Purchasing Process: Supervisor of Procurement		
Mayor		
City Council Liaison		

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