

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2016 – 240

By: Mayor Perciak and Mr. DeMio

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NOS. 12 and 13 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND SEITZ BUILDERS, INC., IN CONNECTION WITH THE RENOVATION AND MECHANICAL UPGRADES AT FIRE STATION NO. 3, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2016-136, passed July 5, 2016, Council authorized the Mayor to enter into a contract with Seitz Builders, Inc., in connection with the renovation and mechanical upgrades for the City's Fire Station No. 3 (the "contract") in an amount not to exceed \$586,900.00 (the "Project"), which was subsequently executed; and

WHEREAS, by and through Ordinance Nos. 2016-187, 2016-192 and 2016-221, the City, through the Building Commissioner, determined it would be in the best interests of the City to approve Change Orders 1 through 9 and Change Order 11, to include as a part of the Project various additional work required for the Project to continue, all in the total amount of \$72,163.59, for a new total contract price of \$659,063.59; and

WHEREAS, the City's Building Commissioner and Fire Chief have now recommended that it would be in the best interests of the City to include further changes in the work performed or to be performed by Seitz Builders, Inc., generally being the installation of fifteen (15) speakers and installation of data conduits in the mechanical room, as determined by the City's Communication & Technology Department, and all as more fully set forth in Change Orders 12 and 13, attached hereto as Exhibits A and B, and incorporated herein as if fully rewritten, in the total amount of \$5,382.84, for a new total contract price of \$664,446.43.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO:

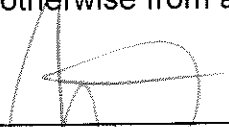
Section 1. That the Mayor be and is hereby authorized and directed to issue and approve Change Orders 12 and 13, in the total amount of \$5,382.84, as recommended by the City's Building Commissioner and Fire Chief; and after the issuance and approval of said Change Orders, to direct the Director of Finance to make payment to **SEITZ BUILDERS, INC.**, in the additional amount of \$5,382.84, thereby increasing the contract price to \$664,446.43, in compliance with the terms and conditions of the contract.

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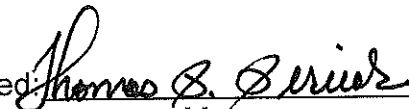
Section 2. That the funds for the purposes of this Ordinance have been appropriated and shall be paid from the Fire Levy Fund, and the Director of Finance be and is hereby authorized and directed to issue the City's warrant in accordance with the terms and conditions of such contract.

Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is necessary to adjust the contract amount and render payment, to provide for the efficient, safe and continuous operation of the Fire Department, and conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.



 President of Council

Approved: 

 Mayor

Date Passed: December 19, 2016

Date Approved: December 20, 2016

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	_____
Daymut	<input checked="" type="checkbox"/>	_____
DeMio	<input checked="" type="checkbox"/>	_____
Dooner	<input checked="" type="checkbox"/>	_____
Schonhut	<input checked="" type="checkbox"/>	_____
Short	<input checked="" type="checkbox"/>	_____
Southworth	<input checked="" type="checkbox"/>	_____

Attest: 

 Assistant Clerk of Council

ORD. No. 2016-240 Amended: _____
 1st Rdg. 12-19-16 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: 12-19-16 Created: _____

SEITZ BUILDERS, INC.

PAGE 1 OF 3

PRE-CHANGE ORDER SUMMARY AND ADDITIONAL WORK AUTHORIZATION OR FIELD CHANGE DIRECTIVE

P.C.O.S. #12 – INSTALL OWNER PROVIDED SPEAKERS

SUBMITTED TO: C.B.O. TONY BIONDILLO
CHIEF JACK DRAVES
ASST. CHIEF NEIL ROZMAN
JIM MALIK-ARCHITECT

DATE: 11-23-16

OWNER'S NAME: CITY OF STRONGSVILLE

JOB NAME: STRONGSVILLE FIRE STTION #3 RENOVATION

EXISTING CONTRACT OR PROJECT NO. & DATE: 1604 – 6/19/16

SUMMARY OF CHANGES: PER YOUR REQUEST WE HAVE PRICED THE FOLLOWING:

SEE ATTACHED PRICING QUOTE.

EXHIBIT A

SEITZ BUILDERS, INC.

PAGE 2 OF 3

PCOS # -12
ELLIS ELECTRIC

\$ 1,352.00

SEITZ BUILDERS, INC. HR.@ \$75.00/HR COST OF SUPERVISION AND FIELD
OFFICE PERSONNEL DIRECTLY ATTRIBUTED TO THIS CHANGE

INCL. _____

TOTAL COSTS

\$ 1,352.00

15 % OVERHEAD & PROFIT

\$ 202.80

SUBTOTAL

\$ 1,554.80

3% BOND & INSURANCE

\$ 46.64

TOTAL

\$ 1,601.44

WE WILL REQUIRE A WRITTEN CHANGE ORDER ACCORDING TO THE CONTRACT DOCUMENTS. WE WILL NEED 0 ADDITIONAL DAYS TO COMPLETE THIS WORK, PROVIDING A SIGNED CHANGE ORDER IN ACCORDANCE TO THE CONTRACT DOCUMENTS IS RECEIVED BEFORE 11/28/16, IF NOT RECEIVED BEFORE THIS DATE THE ABOVE PRICING IS NULL AND VOID.

SIGNATURE: _____
OWNER

DATE 12/20/16

SIGNATURE: _____

DATE _____

SEITZ BUILDERS, INC.

NO WORK WILL COMMENCE UNTIL SIGNED ACCEPTANCE IS RECEIVED PER THE CONTRACT.

SEITZ BUILDERS, INC.

PAGE 3 OF 3

CHANGE ORDER ARTICLES (To be included with each Change Order agreement)

ARTICLE I

THIS CHANGE ORDER MAY CAUSE UNFORESEEN AND UNCONTEMPLATED DELAYS TO, HINDRANCES TO, INTERFERENCE'S WITH AND/OR DISRUPTIONS TO ORIGINAL CONTRACT WORK AND/OR TO OTHER CHANGE ORDER WORK. THE COSTS OF THOSE DELAYS, HINDRANCES, BOTH IN TIME AND MONEY ARE NOT PART OF THIS CHANGE ORDER AND THE RIGHT TO SUCH ADDITIONAL COSTS AND TIME IS SPECIFICALLY RESERVED AND NOT ACCORDED OR SATISFIED BY THIS CHANGE ORDER.

ARTICLE II

CHANGES TO AND EFFECTS UPON CONSTRUCTION SCHEDULES, AND ORIGINAL PERFORMANCE TIME, ORIGINAL COSTS, METHODS, MEANS, SEQUENCES AND PROCEDURES OF CONSTRUCTION OF ALL OTHER CONTRACT CHANGE ORDERS ARE NOT PART OF THIS CHANGE ORDER. ALL RIGHTS ARE RESERVED AND NOT ACCORDED OR SATISFIED REGARDING SUCH CHANGES AND EFFECTS.

ARTICLE III

THE AMOUNT (S) SET FORTH IN THIS CHANGE ORDER ARE FULL REIMBURSEMENT FOR THE DIRECT COST OF ALL LABOR, MATERIAL AND EQUIPMENT NECESSARY TO PERFORM THE WORK DESCRIBED IN THIS PRE CHANGE ORDER SUMMARY ATTACHED. ALL RIGHTS ARE RESERVED AND ARE NOT ACCORDED OR SATISFIED BY THIS CHANGE ORDER REGARDING ADDITIONAL TIME REQUIRED OR ADDITIONAL COST INCURRED TO PERFORM ANY AND ALL OTHER WORK OF THIS CONTRACT (INCLUDING OTHER CHANGES ORDERS), CAUSED BY THIS CHANGE ORDER

SFS#3- P.C.O.S. #12

SEITZ BUILDERS, INC.

PAGE 1 OF 3

PRE-CHANGE ORDER SUMMARY AND ADDITIONAL WORK AUTHORIZATION OR FIELD CHANGE DIRECTIVE

P.C.O.S. #13 – INSTALL DATA CONDUITS @ MECHANICAL ROOM PER CITY I.T. DEPT.

SUBMITTED TO: C.B.O. TONY BIONDILLO
CHIEF JACK DRAVES
ASST. CHIEF NEIL ROZMAN
JIM MALIK-ARCHITECT

DATE: 11-23-16

OWNER'S NAME: CITY OF STRONGSVILLE

JOB NAME: STRONGSVILLE FIRE STTION #3 RENOVATION

EXISTING CONTRACT OR PROJECT NO. & DATE: 1604 – 6/19/16

SUMMARY OF CHANGES: PER YOUR REQUEST WE HAVE PRICED THE FOLLOWING:

SEE ATTACHED PRICING QUOTE.

EXHIBIT B

SEITZ BUILDERS, INC.

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PCOS # -12	
ELLIS ELECTRIC	\$ 3,192.40
SEITZ BUILDERS, INC. HR. @ \$75.00/HR COST OF SUPERVISION AND FIELD OFFICE PERSONNEL DIRECTLY ATTRIBUTED TO THIS CHANGE	INCL. _____
TOTAL COSTS	\$ 3,192.40
15 % OVERHEAD & PROFIT	\$ 478.86
SUBTOTAL	\$ 3,671.26
<u>3% BOND & INSURANCE</u>	<u>\$ 110.14</u>
TOTAL	\$ 3,781.40

WE WILL REQUIRE A WRITTEN CHANGE ORDER ACCORDING TO THE CONTRACT DOCUMENTS. WE WILL NEED 0 ADDITIONAL DAYS TO COMPLETE THIS WORK, PROVIDING A SIGNED CHANGE ORDER IN ACCORDANCE TO THE CONTRACT DOCUMENTS IS RECEIVED BEFORE 11/28/16, IF NOT RECEIVED BEFORE THIS DATE THE ABOVE PRICING IS NULL AND VOID.

SIGNATURE: _____
OWNER

James B. Brier
Mayor DATE 12/20/16

SIGNATURE: _____ DATE _____
SEITZ BUILDERS, INC.

NO WORK WILL COMMENCE UNTIL SIGNED ACCEPTANCE IS RECEIVED PER THE CONTRACT.

SEITZ BUILDERS, INC.

PAGE 3 OF 3

CHANGE ORDER ARTICLES (To be included with each Change Order agreement)

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SFS#3- P.C.O.S. #12