

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2017 – 179

By: Mayor Perciak and Mr. Daymut

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND DIGIOIA-SUBURBAN EXCAVATING, LLC, IN CONNECTION WITH THE WALNUT DRIVE DETENTION BASIN PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2017-112, Council authorized the Mayor to enter into a contract with DiGioia Suburban Excavating, LLC, in connection with the Walnut Drive Detention Basin Project in the City of Strongsville (the "Project"), in an amount not to exceed \$629,055.25; and

WHEREAS, the City's Engineer has now recommended that it would be in the best interests of the City to include changes in the work performed or to be performed on the Project by DiGioia Suburban Excavating, LLC, generally being additional work required and requested by the City, including taking down and re-installing fences on Walnut Drive and Elm Drive; performing video services of two additional homes prior to construction; work required in connection with the cast-in-place junction chamber; and removing existing stumps, trees, and debris, all as more fully set forth in Exhibit A attached hereto and incorporated herein as if fully rewritten, and to provide additional payment for such changes in the work in the amount of \$28,583.28, for a new total Project cost of \$657,638.53.

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 Order No. 1 to the contract in the amount of \$28,583.28, as recommended by the City Engineer, and reflected in Exhibit A; and after the issuance and approval of said Change Order No. 1 and completion of such work, to direct the Director of Finance to make payment to DiGioia Suburban Excavating, LLC in the additional amount of \$28,583.28, thereby increasing the total Project cost to \$657,638.53.

Section 2. That the funds necessary for this Ordinance have been appropriated and shall be paid from the Drainage Levy Fund, with reimbursement of a portion of the costs for the Project made available through a Community Cost-Share Agreement entered into with the Northeast Ohio Regional Sewer District, and that the Director of Finance be and is hereby authorized and directed to issue the City's warrants for payment accordingly, and in accordance with the terms and conditions of the contract and change order.

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.

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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 immediately necessary to provide for changes in the work in order to properly and timely complete the Project, to facilitate payment to the contractor for unanticipated changes in the work, to avoid potential legal problems, 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.

Kenneth M. Dooner
 President of Council

Approved: James S. Ruier
 Mayor

Date Passed: November 6, 2017

Date Approved: November 7, 2017

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

Attest: Aimee Pientka
 Clerk of Council

ORD. No. 2017-179 Amended: _____
 1st Rdg. 11-6-17 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: 11-6-17 Defeated: _____

CHANGE ORDER

Order No. # 1
Date: November 6, 2017
Agreement Date: July 19, 2017

Name of PROJECT: **Walnut Drive Detention Basin**

CONTRACTOR: **DiGioia Suburban Excavating, LLC**

The following changes are hereby made to the CONTRACTOR DOCUMENTS:

Justification: Additional work requested by the City

Change to CONTRACT PRICE

Original CONTRACT PRICE: **\$629,055.25**

Current CONTRACT PRICE adjusted by Previous CHANGE ORDER: **N/A**

The CONTRACT PRICE due to this CHANGE ORDER will be **increased** by:
\$28,583.28

The new CONTRACT PRICE including this CHANGE ORDER will be:
\$657,638.53

Change to CONTRACT TIME:

The CONTRACT TIME will be (increased) (decreased) by
 N/A calendar day(s).

The date for completion of all WORK will be (Date):

Requested by: _____
DiGioia-Suburban Excavating, LLC

Recommended by: Ken Mikula
Ken Mikula, P. E., City Engineer

Accepted by: Thomas P. Perciak
Mayor Thomas P. Perciak



11283 Royalton Road • North Royalton, OH 44133
Phone: 440.237.1978 • Fax: 440.237.1976

October 12, 2017

City of Strongsville
16099 Foltz Parkway
Strongsville, Ohio 44149

Re: Walnut Drive Detention Basin Change Orders

To Whom It May Concern:

The following extra work has been performed for the Walnut Drive Detention Basin project located in Strongsville, Ohio. The work performed includes taking down, moving, and re-installing a wooden fence on Walnut Drive. This work was completed on August 14 and August 15, 2017. On August 21, 2017, Work Zone Video, a subcontractor to DiGioia-Suburban Excavating, performed video services of two additional homes. Additional work was performed on August 23rd and 24th, as well as August 28th and 29th, pertaining to the cast-in-place junction chamber. That work included excavating and forming the base slab, pouring the base slab, forming and pouring the walls and top of the chamber, installing a cast iron frame and grate and dismantling the concrete forms. On September 11th and 12th, existing stumps, trees and debris were removed from the borrow pit location discovered during excavation work and hauled offsite.

The cost breakdown for the additional work performed is as follows:

Date	Cost
August 14 th & 15 th	\$4,916.56
August 21 st	\$172.20
August 23 rd , 24 th , 28 th & 29 th	\$18,208.78
September 11 th & 12 th	\$5,285.74
Total	\$28,583.28

Please contact me with any additional questions.

Regards,

Curtis Huffman
Project Manager