

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2018 – 039

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 2 FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND FABRIZI TRUCKING & PAVING CO., INC., IN CONNECTION WITH THE BOWMAN DRIVE, DRAKE ROAD AND FETZER DRIVE SANITARY SEWER PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2017-125, Council authorized the Mayor to enter into a contract with Fabrizi Trucking & Paving Co., Inc., for improvements to the sanitary sewers on Bowman Drive, Drake Road and Fetzer Drive in the City of Strongsville, in connection with the Bowman Drive, Drake Road and Fetzer Drive Sanitary Sewer Project (the "Project"), in an amount not to exceed \$2,229,125.50; and

WHEREAS, thereafter, pursuant to Ordinance No. 2017-217, Council authorized the Mayor to issue and approve Change Order No. 1 for the additional costs incurred by Fabrizi Trucking & Paving Co., Inc., in the amount of \$29,843.70 for a new total Project cost of \$2,258,969.20 for services performed in connection with additional work required and requested by the City, as well as work required due to unforeseen conditions encountered and reconciliation of actual field quantities with plan quantities, all of which work was not originally contemplated as part of the Project; 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 Fabrizi Trucking & Paving Co., Inc., generally being additional work required and requested by the City due to unforeseen conditions encountered in connection with boring work performed at certain residences on Bowman Drive and Drake Road; installation and re-installation of clay storm drains; additional 12" reinforced concrete pipe; and various reconciliation of plan quantities to field quantities; and

WHEREAS, further, the City Engineer has determined that due to the discovery of the lack of a base to support an asphalt street because of subgrade soil conditions, it is in the best interest of the public health, safety and welfare of the affected residents to install concrete on these streets, which also requires the removal of existing asphalt, stone and subgrade necessary to install reinforced concrete pavement and drainage, and to provide additional payment for all such changes in the work, in the amount of \$508,524.18 for a new total Project cost of \$2,767,493.38.

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. 2 to the contract in the amount of \$508,524.18, as recommended by the City Engineer, and reflected in Exhibit A, and after the issuance and approval of said

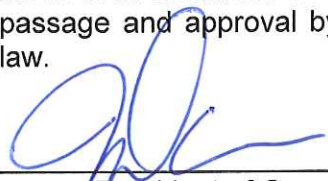
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Change Order No. 2 and completion of such work, to direct the Director of Finance to make payment to **FABRIZI TRUCKING & PAVING CO., INC.**, in the additional amount of \$508,524.18 thereby increasing the total Project cost to \$2,767,493.38.

Section 2. That the funds for the purposes of this Project have been appropriated and shall be paid from the General Capital Improvement Fund, Sanitary Sewer Fund, from the collection of special assessments to be levied by the City, from Ohio Public Works Commission grant funding, and any additional grant funds made available for the Project through the Northeast Ohio Regional Sewer District.

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 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.



 President of Council

Approved: 

 Mayor

Date Passed: April 2, 2018

Date Approved: April 2, 2018

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	_____
Daymut	<input checked="" type="checkbox"/>	_____
DeMio	<input checked="" type="checkbox"/>	_____
Kosek	<input checked="" type="checkbox"/>	_____
Roff	<input checked="" type="checkbox"/>	_____
Schonhut	<input checked="" type="checkbox"/>	_____
Short	<u>Absent</u>	_____

Attest: 

 Clerk of Council

ORD. No. 2018-039 Amended: _____
 1st Rdg. 04-02-18 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: 04-02-18 Defeated: _____

CHANGE ORDER

Order No. # 2
Date: April 2, 2018
Agreement Date: August 10, 2017

Name of PROJECT: **Bowman, Fetzer, & Drake Road Sanitary Sewer**

CONTRACTOR: **Fabrizi Trucking and Paving, Co.**

The following changes are hereby made to the CONTRACTOR DOCUMENTS:

Justification: Project close out to actual quantities

Change to CONTRACT PRICE

Original CONTRACT PRICE: **\$2,229,125.50**

Current CONTRACT PRICE adjusted by Previous CHANGE ORDER: **\$2,258,969.20**

The CONTRACT PRICE due to this CHANGE ORDER will be **increased** by: **\$508,524.18**

The new CONTRACT PRICE including this CHANGE ORDER will be: **\$2,767,493.38**

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: _____
Fabrizi Trucking and Paving, Co.

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

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