

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2023 – 001

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 FOR AN EXTENSION OF THE CONTRACT COMPLETION DATE, WITHOUT CHANGE IN PRICE, AND IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND KONSTRUCTION KING, INC., IN CONNECTION WITH THE 2022 PAVEMENT RECONSTRUCTION PROGRAM, IN THE CITY OF STRONGSVILLE, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2022-072, Council authorized the Mayor to enter into a contract with Konstruction King, Inc., in connection with the 2022 Pavement Reconstruction Program; and

WHEREAS, as indicated in the Notice to Proceed referenced in Section 2 of the Contract documents, the work was to be commenced no later than May 26, 2022 and must be completed within One Hundred Eighty (180) consecutive calendar days thereafter, being November 22, 2022; and

WHEREAS, due to circumstances beyond the reasonable control of the contractor such as material shortages, delays and increasing cost of the materials, rising fuel costs, along with labor and driver shortages, Konstruction King has been unavoidably delayed in completing the work as required by the contract terms; and

WHEREAS, Konstruction King, therefore, has requested an extension of time of Two Hundred Forty (240) calendar days to complete the work, with a new contract completion date of July 20, 2023, at the same contract price; and

WHEREAS, the City's Engineer has recommended that due to such extenuating circumstances, an extension of the time to complete work by July 20, 2023 would be warranted and is reasonably required at this time.

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

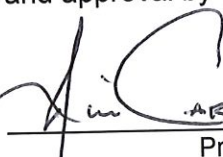
Section 1. That the Mayor be and is hereby authorized and directed to issue and approve Change Order No. 1 to extend the contract completion time from November 22, 2022 to a new contract completion date no later than July 20, 2023, as determined by the City Engineer and the contractor, all in the form attached hereto as Exhibit A, but at the same contract bid price.

Section 2. That the funds for the purposes of said contract have been appropriated and shall be paid from the General Capital Improvement Fund.

CITY OF STRONGSVILLE, OHIO
ORDINANCE NO. 2023 - 001
Page 2

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 of 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 the extension of the contract completion time is immediately necessary to provide sufficient time for the contractor to obtain the necessary materials required, to ensure proper quality of the work to be undertaken, and to 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.

 ARBE

President of Council


Date Passed: January 3, 2023

Yea

Nay

Carbone
Clark
DeMio
Kaminski
Kosek
Roff
Short

☒
☒
☒
☒
☒
☒
☒

Approved: 

Mayor

Date Approved: Jan 3, 2023

Attest: 

Clerk of Council

Ord. No. 2023-001 Amended: _____
1st Rdg. 01-03-23 Ref: _____
2nd Rdg. Suspended Ref: _____
3rd Rdg. Suspended Ref: _____

Public Hrg. _____ Ref: _____
Adopted: 01-03-23 Defeated: _____

CHANGE ORDER

Order No. # 1
Date: December 20, 2022
Agreement Date: May 10, 2022

Name of PROJECT: **2022 Pavement Reconstruction Program**

CONTRACTOR: **Konstruktion King, Inc.**

The following changes are hereby made to the CONTRACTOR DOCUMENTS:

Justification: Project close out to actual quantities

Change to CONTRACT PRICE

Original CONTRACT PRICE: **\$1,627,398.60**

Current CONTRACT PRICE adjusted by Previous CHANGE ORDER:

The CONTRACT PRICE due to this CHANGE ORDER will be increased by:

The new CONTRACT PRICE including this CHANGE ORDER will be:

Change to CONTRACT TIME:

The CONTRACT TIME will be **increased** by 240 calendar day(s).

The date for completion of all WORK will be (Date): **July 20, 2023**

Requested by: _____

Konstruktion King, Inc.

Recommended by: _____

Ken Mikula, P. E., City Engineer

Accepted by: _____

Mayor Thomas P. Perciak

EX. A