

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2024 – 044

By: Mayor Perciak and All Members of Council

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NOS. 1 THROUGH 7 FOR AN INCREASE IN THE CONTRACT PRICE CONSISTENT WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND DIGIOIA-SUBURBAN EXCAVATING, LLC, IN CONNECTION WITH THE PROSPECT ROAD STORM SEWER IMPROVEMENTS PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2023-130, Council authorized the Mayor to enter into a contract with Digioia-Suburban Excavating, LLC in connection with the Prospect Road Storm Sewer Improvements Project from Albion Road to Fair Road, in the City of Strongsville, (the "Project"), in an amount not to exceed \$3,607,488.50; 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 by the Cleveland Water Department for the anticipated watermain lowerings and further work required due to unforeseen conditions encountered in connection with a watermain break, all as more fully set forth collectively on 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 \$150,883.95, for a new total Project cost of \$3,758,372.45.

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 Nos. 1 through 7 to the contract in the amount of \$150,883.95, as recommended by the City Engineer and reflected collectively on Exhibit A; and after the issuance and approval of said Change Order Nos. 1 through 7 and completion of such work, to direct the Director of Finance to make payment to **DIGIOIA-SUBURBAN EXCAVATING, LLC** in the additional amount of \$150,883.95, thereby increasing the total Project cost to \$3,758,372.45.

Section 2. That the funds necessary for this Ordinance have been appropriated and shall be paid from the General Capital Improvement Fund, 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 orders.

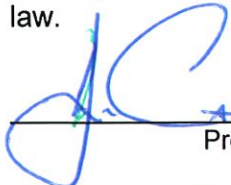
Section 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were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

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2024 - 044

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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.



President of Council

Date Passed: 04 15 2024

Approved: 

Mayor

Date Approved: April 15, 2024

Attest: 

Clerk of Council

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	_____
Clark	<input checked="" type="checkbox"/>	_____
Kaminski	<input checked="" type="checkbox"/>	_____
Kosek	<input checked="" type="checkbox"/>	_____
Roff	<input checked="" type="checkbox"/>	_____
Short	<input checked="" type="checkbox"/>	_____
Spring	<input checked="" type="checkbox"/>	_____

Ord. No. 2024-044 Amended: _____
1st Rdg. 04-15-24 Ref: _____
2nd Rdg. Suspended Ref: _____
3rd Rdg. Suspended Ref: _____

Public Hrg. _____ Ref: _____
Adopted: 04-15-24 Defeated: _____

**Change Order Request
No. 00001**



DIGIOIA-SUBURBAN EXCAVATING, LLC
11293 Royalton Rd.
North Royalton, OH 44133

Phone: 440-237-1978
Fax: 440-237-1976
www.digioiasuburban.com

TITLE:	Waterline Bypass	DATE:	3/11/2024
PROJECT:	Prospect Road Storm Sewer Improvements	JOB NO:	23-113
TO:	City of Strongsville 16099 Foltz Pkwy Strongsville, OH 44149 Phone: 440-580-3100 Fax: ATTN: Jamie Kilbane	CONTRACT NO.:	0

Description of Change Order Request

Please refer to the included "Extra Work Forms" for additional information and work descriptions

Total Amount of Change Order Request: \$68,962.00

COLLECTED CHANGES

Item	Date	EWO#	Title	Amount
001	1/11/2024	N/A	Waterline Bypass	\$68,962.00
				Subtotal Collected Changes:
				\$68,962.00
				Total Change Order Request Cost:
				\$68,962.00

By: _____
Printed Name: _____
Company: _____
Date: _____

By: _____
Printed Name: _____
Company: _____
Date: _____

EX.A

**Proposal
No. 00001**



DIGIOIA-SUBURBAN EXCAVATING, LLC
11293 Royalton Rd.
North Royalton, OH 44133

Phone: 440-237-1978
Fax: 440-237-1976
www.digioiasuburban.com

TITLE:	Waterline Bypass	DATE:	1/11/2024
PROJECT:	Prospect Road Storm Sewer Improvements	JOB NO:	23-113
TO:	City of Strongsville 16099 Foltz Pkwy Strongsville, OH 44149 Phone: 440-580-3100 Fax:	EWO#:	1
		ITEM#:	001

Description of Request

This change request is for the waterline bypass work that is being directed by Cleveland Water, per the plan sheet C-20.0 approved 12/8/23. This change includes furnishing, installing, and removal of 4" fusion weld pipe, valves, fittings, hydrant connections as shown on the plan, and MOT. Also, incidental to this work we anticipate additional concrete pavement removal and replacement, gravel apron removal, concrete apron placement. Our proposal does not include any repair of pipe due to freezing and it does not include any additional CWD fees. Bypass setup in place from 12/11/23 to 2/6/24.

EXTRA WORK PRICING

Cost Type	Item	Description	Quantity	Units	Unit Price	Net Amount
Lump Sum	001	Furnish, Install & Remove 4" Bypass Pipe	1.00	LS	\$68,962.00	\$68,962.00
Subtotal Extra Work:						\$68,962.00
Lump Sum:						\$68,962.00
Allowance:						\$0.00



Prospect Road Sewer Improvements

COR-001 Waterline Bypass				
Description	Qty	Units	Unit Price	Total
Hydrant Temp Connection	6	EA	\$ 2,750.00	\$ 16,500.00
4" Fusion Weld Pipe	1015	LF	\$ 35.20	\$ 35,728.00
Remove Temp Pipe	1015	LF	\$ 11.00	\$ 11,165.00
Maintenance of Traffic	3	EA	\$ 1,856.33	\$ 5,569.00
			Subtotal:	\$ 68,962.00
			Total:	\$ 68,962.00

Change Items by Location

Willow Lane				
Description	Qty	Units	Unit Price	Total
Hydrant Temp Connection	2	EA	\$ 2,750.00	\$ 5,500.00
4" Fusion Weld Pipe	400	LF	\$ 35.20	\$ 14,080.00
Remove Temp Pipe	400	LF	\$ 11.00	\$ 4,400.00
Maintenance of Traffic	1	EA	\$ 1,856.33	\$ 1,856.33
			Subtotal:	\$ 25,836.33

Cedar Creek Drive				
Description	Qty	Units	Unit Price	Total
Hydrant Temp Connection	2	EA	\$ 2,750.00	\$ 5,500.00
4" Fusion Weld Pipe	300	LF	\$ 35.20	\$ 10,560.00
Remove Temp Pipe	300	LF	\$ 11.00	\$ 3,300.00
Maintenance of Traffic	1	EA	\$ 1,856.33	\$ 1,856.33
			Subtotal:	\$ 21,216.33

Castlewood Drive				
Description	Qty	Units	Unit Price	Total
Hydrant Temp Connection	2	EA	\$ 2,750.00	\$ 5,500.00
4" Fusion Weld Pipe	315	LF	\$ 35.20	\$ 11,088.00
Remove Temp Pipe	315	LF	\$ 11.00	\$ 3,465.00
Maintenance of Traffic	1	EA	\$ 1,856.33	\$ 1,856.33
			Subtotal:	\$ 21,909.33

Total: \$ 68,962.00

Change Order Request

1A



DIGIOIA-SUBURBAN EXCAVATING, LLC
11293 Royalton Rd.
North Royalton, OH 44133

Phone: 440-237-1978
Fax: 440-237-1976
www.digioiasuburban.com

TITLE: Winter Protection - Temp Bypass **DATE:** 2/22/2024
PROJECT: Prospect Road Storm Sewer Improvements **JOB NO:** 23-113
TO: City of Strongsville **CONTRACT NO.:** 0
16099 Foltz Pkwy
Strongsville, OH 44149
Phone: 440-580-3100 Fax:
ATTN: Jamie Kilbane

Description of Change Order Request

Please refer to the included "Extra Work Forms" for additional information and work descriptions

Total Amount of Change Order Request: \$5,370.21

COLLECTED CHANGES

Item	Date	EWO#	Title	Amount
001	1/12/2024	JR52	Add Winter Protection to Temp Bypass	\$1,894.11
002	1/19/2024	JR53	Thaw out bypass line	\$2,729.40
Subtotal Collected Changes:				\$4,623.51
Collected Changes (Labor):				\$2,935.44
Collected Changes (Equipment):				\$1,688.07
Collected Changes (Material):				\$0.00
Collected Changes Sales Tax (0.0%):				\$0.00
Collected Changes (Subcontractor):				\$0.00
Collected Changes (Misc/Fees):				\$0.00
OH Labor & Equipment (15.0%):				\$693.53
OH Material (15.0%):				\$0.00
OH Subcontractor (15.0%):				\$0.00
Subtotal:				\$5,317.04
Bond (1.0%):				\$53.17
Total Change Order Request Cost:				\$5,370.21

By: _____
Printed Name: _____
Company: _____
Date: _____

By: _____
Printed Name: _____
Company: _____
Date: _____

**Change Order Request
No. 00002**



DIGIOIA-SUBURBAN EXCAVATING, LLC
11293 Royalton Rd.
North Royalton, OH 44133

Phone: 440-237-1978
Fax: 440-237-1976
www.digioiasuburban.com

TITLE: Remove Ex. 12x8 Tee - Cedar Creek **DATE:** 1/10/2024
PROJECT: Prospect Road Storm Sewer Improvements **JOB NO:** 23-113
TO: City of Strongsville **CONTRACT NO.:** 0
16099 Foltz Pkwy
Strongsville, OH 44149
Phone: 440-580-3100 Fax:
ATTN: Jamie Kilbane

Description of Change Order Request

Please refer to the included "Extra Work Forms" for additional information and work descriptions

Total Amount of Change Order Request: \$10,173.68

COLLECTED CHANGES

Item	Date	EWO#	Title	Amount
001	1/10/2024	N/A	Remove Ex. 12x8 Tee - Cedar Creek	\$10,173.68
Subtotal Collected Changes:				\$10,173.68
Total Change Order Request Cost:				\$10,173.68

By: _____
Printed Name: _____
Company: _____
Date: _____

By: _____
Printed Name: _____
Company: _____
Date: _____

**Proposal
No. 00002**



DIGIOIA-SUBURBAN EXCAVATING, LLC
11293 Royalton Rd.
North Royalton, OH 44133

Phone: 440-237-1978
Fax: 440-237-1976
www.digioiasuburban.com

TITLE: Remove Ex. 12x8 Tee - Cedar Creek **DATE:** 1/10/2024

PROJECT: Prospect Road Storm Sewer Improvements **JOB NO:** 23-113

TO: City of Strongsville **EWO#:** 2
16099 Foltz Pkwy
Strongsville, OH 44149 **ITEM#:** 001
Phone: 440-580-3100 Fax:

Description of Request

This change request is for the removal of the existing 12x8 tee and replacement with a spool piece at the intersection of Cedar Creek and Prospect. This work is being performed at the request of Cleveland Water. The existing tee is not at the right location and CWD is requesting that it be removed.

EXTRA WORK PRICING

Cost Type	Item	Description	Quantity	Units	Unit Price	Net Amount
Lump Sum	001	Remove Tee & Install Spool	1.00	LS	\$10,173.68	\$10,173.68
Subtotal Extra Work Ticket:						\$10,173.68
					Unit Price:	\$0.00
					Lump Sum:	\$10,173.68

Change Order Request No. 00003



DIGIOIA-SUBURBAN EXCAVATING, LLC
11293 Royalton Rd.
North Royalton, OH 44133

Phone: 440-237-1978
Fax: 440-237-1976
www.digioiasuburban.com

TITLE:	Down Time-Jonathan	DATE:	3/12/2024
PROJECT:	Prospect Road Storm Sewer Improvements	JOB NO:	23-113
TO:	City of Strongsville 16099 Foltz Pkwy Strongsville, OH 44149 Phone: 440-580-3100 Fax: ATTN: Jamie Kilbane	CONTRACT NO.:	0

Description of Change Order Request

Please refer to the included "Extra Work Forms" for additional information and work descriptions

Total Amount of Change Order Request: \$7,719.78

COLLECTED CHANGES

Item	Date	EWO#	Title	Amount
001	12/19/2023	JR-50	Down Time-Jonathan	\$4,301.28
002	12/20/2023	JR-50	Down Time-Jonathan	\$2,345.11
Subtotal Collected Changes:				\$6,646.39
Collected Changes (Labor):				\$3,159.06
Collected Changes (Equipment):				\$3,237.33
Collected Changes (Material):				\$0.00
Collected Changes Sales Tax (0.0%):				\$0.00
Collected Changes (Subcontractor):				\$250.00
Collected Changes (Misc/Fees):				\$0.00
OH Labor & Equipment (15.0%):				\$959.46
OH Material (15.0%):				\$0.00
OH Subcontractor (15.0%):				\$37.50
Subtotal:				\$7,643.35
Bond (1.0%):				\$76.43
Total Change Order Request Cost:				\$7,719.78

By: _____
Printed Name: _____
Company: _____
Date: _____

By: _____
Printed Name: _____
Company: _____
Date: _____

**Change Order Request
No. 00004**



DIGIOIA-SUBURBAN EXCAVATING, LLC
11293 Royalton Rd.
North Royalton, OH 44133

Phone: 440-237-1978
Fax: 440-237-1976
www.digioiasuburban.com

TITLE: Temporary Concrete Pavement **DATE:** 3/14/2024
PROJECT: Prospect Road Storm Sewer Improvements **JOB NO:** 23-113
TO: City of Strongsville **CONTRACT NO.:** 0
16099 Foltz Pkwy
Strongsville, OH 44149
Phone: 440-580-3100 Fax:
ATTN: Jamie Kilbane

Description of Change Order Request

Please refer to the included "Extra Work Forms" for additional information and work descriptions

Total Amount of Change Order Request: \$16,800.00

COLLECTED CHANGES

Item	Date	EWO#	Title	Amount
001	3/14/2024	N/A	6" Temporary Concrete	\$16,800.00
Subtotal Collected Changes:				\$16,800.00
Total Change Order Request Cost:				\$16,800.00

By: _____
Printed Name: _____
Company: _____
Date: _____

By: _____
Printed Name: _____
Company: _____
Date: _____

Change Order Request No. 00005



DIGIOIA-SUBURBAN EXCAVATING, LLC
11293 Royalton Rd.
North Royalton, OH 44133

Phone: 440-237-1978
Fax: 440-237-1976
www.digioiasuburban.com

TITLE:	Pothole Sanitary Connections	DATE:	3/12/2024
PROJECT:	Prospect Road Storm Sewer Improvements	JOB NO:	23-113
TO:	City of Strongsville 16099 Foltz Pkwy Strongsville, OH 44149 Phone: 440-580-3100 Fax: ATTN: Jamie Kilbane	CONTRACT NO.:	0

Description of Change Order Request

Please refer to the included "Extra Work Forms" for additional information and work descriptions. We are requesting an additional 4 calendar days be added to the schedule.

Total Amount of Change Order Request: \$35,990.91

COLLECTED CHANGES

Item	Date	EWO#	Title	Amount
001	2/12/2024	JR56	Pothole & Shoot Existing Sanitary Conn	\$3,424.08
002	2/13/2024	JR57	Pothole & Shoot Existing Sanitary Conn.	\$11,314.06
003	2/14/2024	JR58	Pothole & Shoot Existing San Conn for Elevation	\$9,730.17
004	2/15/2024	JR59	Pothole & Shoot Existing San Conn for Elevation & Local	\$6,518.28
Subtotal Collected Changes:				\$30,986.58
Collected Changes (Labor):				\$12,896.24
Collected Changes (Equipment):				\$13,676.04
Collected Changes (Material):				\$2,289.30
Collected Changes Sales Tax (0.0%):				\$0.00
Collected Changes (Subcontractor):				\$2,125.00
Collected Changes (Misc/Fees):				\$0.00
OH Labor & Equipment (15.0%):				\$3,985.84
OH Material (15.0%):				\$343.40
OH Subcontractor (15.0%):				\$318.75
OH Misc/Fees (15.0%):				\$0.00
Subtotal:				\$35,634.56
Bond (1.0%):				\$356.35
Total Change Order Request Cost:				\$35,990.91

By: _____
Printed Name: _____
Company: _____
Date: _____

By: _____
Printed Name: _____
Company: _____
Date: _____

Change Order Request

No. 00006



DIGIOIA-SUBURBAN EXCAVATING, LLC
11293 Royalton Rd.
North Royalton, OH 44133

Phone: 440-237-1978
Fax: 440-237-1976
www.digioiasuburban.com

TITLE:	Breckenridge Water Main Repair	DATE:	2/22/2024
PROJECT:	Prospect Road Storm Sewer Improvements	JOB NO:	23-113
TO:	City of Strongsville 16099 Foltz Pkwy Strongsville, OH 44149 Phone: 440-580-3100 Fax: ATTN: Jamie Kilbane	CONTRACT NO.:	0

Description of Change Order Request

Please refer to the included "Extra Work Forms" for additional information and work descriptions

Total Amount of Change Order Request: \$2,326.98

COLLECTED CHANGES

Item	Date	EWO#	Title	Amount
001	1/30/2024	JR55	Repair Existing 8" Water Main on Breckenridge	\$2,003.43
Subtotal Collected Changes:				\$2,003.43
Collected Changes (Labor):				\$928.05
Collected Changes (Equipment):				\$650.38
Collected Changes (Material):				\$175.00
Collected Changes Sales Tax (0.0%):				\$0.00
Collected Changes (Subcontractor):				\$250.00
Collected Changes (Misc/Fees):				\$0.00
OH Labor & Equipment (15.0%):				\$236.76
OH Material (15.0%):				\$26.25
OH Subcontractor (15.0%):				\$37.50
Subtotal:				\$2,303.94
Bond (1.0%):				\$23.04
Total Change Order Request Cost:				\$2,326.98

By: _____
 Printed Name: _____
 Company: _____
 Date: _____

By: _____
 Printed Name: _____
 Company: _____
 Date: _____

Change Order Request

No. 00007



DIGIOIA-SUBURBAN EXCAVATING, LLC
 11293 Royalton Rd.
 North Royalton, OH 44133

Phone: 440-237-1978
 Fax: 440-237-1976
www.digioiasuburban.com

TITLE:	Water Meter Vault Relocation	DATE:	2/22/2024
PROJECT:	Prospect Road Storm Sewer Improvements	JOB NO:	23-113
TO:	City of Strongsville 16099 Foltz Pkwy Strongsville, OH 44149 Phone: 440-580-3100 Fax: ATTN: Jamie Kilbane	CONTRACT NO.:	0

Description of Change Order Request

Please refer to the included "Extra Work Forms" for additional information and work descriptions

Total Amount of Change Order Request: \$3,540.39

COLLECTED CHANGES

Item	Date	EWO#	Title	Amount
001	2/15/2024	JR60	Remove & Relocate Water Meter Vault	\$3,048.12
Subtotal Collected Changes:				\$3,048.12
Collected Changes (Labor):				\$1,293.85
Collected Changes (Equipment):				\$910.53
Collected Changes (Material):				\$843.75
Collected Changes Sales Tax (0.0%):				\$0.00
Collected Changes (Subcontractor):				\$0.00
Collected Changes (Misc/Fees):				\$0.00
OH Labor & Equipment (15.0%):				\$330.66
OH Material (15.0%):				\$126.56
OH Subcontractor (15.0%):				\$0.00
Subtotal:				\$3,505.34
Bond (1.0%):				\$35.05
Total Change Order Request Cost:				\$3,540.39

By: _____
 Printed Name: _____
 Company: _____
 Date: _____

By: _____
 Printed Name: _____
 Company: _____
 Date: _____

CHANGE ORDER

Order No. # 1-7
Date: April 1, 2024
Agreement Date: September 15, 2023

Name of PROJECT: **Prospect Road Storm Sewer Improvements – Albion to Fair Road**

CONTRACTOR: **DiGioia-Suburban Excavating, LLC**

The following changes are hereby made to the CONTRACTOR DOCUMENTS:

Justification: Project close out to actual quantities

Change to CONTRACT PRICE

Original CONTRACT PRICE: **\$3,607,488.50**

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

The CONTRACT PRICE due to this CHANGE ORDER will be **increased** by: **\$150,883.95**

The new CONTRACT PRICE including this CHANGE ORDER will be: **\$3,758,372.45**

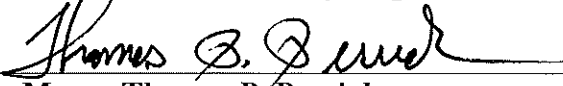
Change to CONTRACT TIME: **N/A**

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, P. E., City Engineer

Accepted by: _____

Mayor Thomas P. Perciak

OFFICE OF THE COUNCIL
City of Strongsville

TO: Lori Daley, Assistant Engineer
FROM: Marialena Beach, Council Secretary
DATE: April 16, 2024
SUBJECT: Ordinance No. 2024-044
Change Order Nos. 1 - 7 – DiGioia-Suburban Excavating, LLC
Prospect Road Storm Sewer Improvements Project from Albion Rd. to Fair Rd.

Attached please find a certified copy of Ordinance No. 2024-044, along with the original Change Order Nos. 1 - 7 with DiGioia-Suburban Excavating, LLC for the Prospect Road Storm Sewer Improvements Project from Albion Rd. to Fair Rd.

Please deliver to the appropriate person(s) to be executed. After doing so, please forward the executed **original document, or a fully executed copy**, back to the Council Office to be retained with the legislation.

Thank you.

MB
Attachments