

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 040

By: Mr. Maloney

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 FABRIZI TRUCKING & PAVING CO., INC., IN CONNECTION WITH THE PEARL ROAD WIDENING PROJECT PHASE II (CUY-42-0.00), AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2013-207, Council authorized the Mayor to enter into a contract with Fabrizi Trucking & Paving Co., Inc. for improvements to a section of Pearl Road in connection with the Pearl Road Widening Project Phase II (Cuy-42-0.00) (the "Project") in the amount of \$7,052,132.40; and

WHEREAS, the City's Construction Manager, CT Consultants, Inc., and the City's Engineer now have 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 requested by the City, additional work required due to unforeseen conditions, and additional work required due to conflict with other utilities, all as more fully set forth in Exhibit "A" attached hereto and incorporated herein as if fully rewritten, and a full set of supporting documentation for which is on file with the City Engineer, and to provide additional payment for such changes in the work in the amount of \$155,898.05 for a new total Project cost of \$7,208,030.45.

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 No. 1 to the contract in the amount of \$155,898.05, as recommended by CT Consultants, Inc. and the City Engineer, and consistent with Sections 13 and 14 of the General Conditions to the contract, 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 **FABRIZI TRUCKING & PAVING CO., INC.** in the additional amount of \$155,898.05, thereby increasing the total Project cost to \$7,208,030.45.

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Section 2. That the funds necessary for this Ordinance have been appropriated and shall be paid from the Pearl Road Capital Improvement Fund, Royalton Road and/or Pearl Road Tax Increment Financing Funds and such other Federal, State and local funds made available for the Project, including but not limited to State of Ohio, Ohio Public Works Commission funding, and/or Federal Highway Safety Program funds, and Federal Earmark Funds; and that the Director of Finance be and is hereby authorized and directed to issue his warrants for payment accordingly, and in accordance with the terms of any applicable grant agreements.

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 changes in the work, to avoid potential legal entanglements, 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.

Michael Dreyfus
President of Council

Approved: Thomas B. Burd
Mayor

Date Passed: March 17, 2014

Date Approved: March 18, 2014

	<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"/>
Maloney	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schonhut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Southworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attest: Aimee Pivetteka
Clerk of Council

ORD. No. 2014-040 Amended: _____
1st Rdg. 03-17-14 Ref: _____
2nd Rdg. Suspended Ref: _____
3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
Adopted: 03-17-14 Defeated: _____

CHANGE ORDER

Change Order No.: 1
Date: January 31, 2014
Agreement Date: October 18, 2013

Name of PROJECT: Pearl Road Widening Ph2 CUY-42-0.00; PID 88677

OWNER: City of Strongsville, Ohio
CONTRACTOR: Fabrizi Trucking & Paving

The following changes are hereby made to the CONTRACT DOCUMENTS:

Justification: Referenced attached documentation

Change to CONTRACT PRICE:

Original CONTRACT PRICE: \$ 7,052,132.40

Current CONTRACT PRICE adjusted by
Previous CHANGE ORDER \$ 7,052,132.40

The CONTRACT PRICE due to this CHANGE ORDER
will be (**increased**) (decreased) by: \$ 155,898.05

The FINAL CONTRACT PRICE including this
CHANGE ORDER will be \$ 7,208,030.45

Change to CONTRACT TIME:

The CONTRACT TIME will be (increased) (decreased) by

(Calendar Days)

Original Completion Date May 9, 2015

The date for completion of all WORK will be

May 9, 2015

(Date)

Requested by:

Maria Fearer

Maria Fearer, Vice President
Fabrizi Trucking & Paving

2-27-14

(Date)

Recommended by:

Thomas B. Gwydof, Jr., P.E.
CT Consultants, Inc

3-3-14

(Date)

Accepted by:

Ken Mikula, P.E.
City of Strongsville

(Date)

Federal Agency Approval
(where applicable)

(Date)

EXHIBIT A

Summary of Review Totals

Proposed Change Order Number 1

<u>Item No.</u>		<u>Value of Extra Work</u>
1-1 9	Due to starting work out of the proposed M-O-T, the waterline was installed first and a temporary concrete pavement cap was placed; 6 inches thick of MS concrete	\$93,292.43
1-2 12	Sanitary Laterals in conflict with the proposed storm sewer were lowered. A total of five (5) laterals at \$10,265.00 each, agreed upon price	\$51,325.00
1-3 3	The bid price for item #213 was not filled in at time of submission. Price is per discussion at progress meeting #1	\$5,225.00
1-4 13	Downtime as a result of CWD providing direction with respect to an additional 12"x12" tee and 12" valve	\$2,010.80
1-5 17	Remove a 6" valve and place a 6" cap on the 12"x6" tee at 76+11. Work is a result of the added 12"x12" tee per CWD direction.	\$1,291.34
1-6 18	Conflict with AT&T conduit and 18" storm sewer at station 86+00.	\$2,753.48

Proposed Amount of Change Order #1

\$155,898.05

Bond Increase

Settled Amount of Change Order #1