

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 142

By: Mr. Maloney

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 (FINAL) FOR AN ADJUSTMENT 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 PROSPECT ROAD SANITARY RELOCATION PROJECT 2014, AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Ordinance No. 2014-041, passed March 17, 2014, Council authorized the Mayor to enter into a contract with Digioia-Suburban Excavating, LLC for the construction of the Prospect Road Sanitary Relocation Project 2014 (the "contract") in the amount of \$226,000.00, premised on certain plan quantities (the "Project"); and

WHEREAS, since then, certain further additional work not contemplated in the original contract has become necessary and was requested by the City, and actual field quantities also have been reconciled with plan quantities; and

WHEREAS, Digioia-Suburban Excavating, LLC, therefore, has submitted to the City Engineer a request for an adjustment in the contract price for the costs incurred due to the additional labor, materials and equipment to complete the aforesaid additional work and also for reconciliation of the quantities; and

WHEREAS, the City Engineer has recommended that it would be in the best interest of the City to provide payment to Digioia-Suburban Excavating, LLC in the additional amount of \$20,996.55 for such additional work resulting in an increase to the total Project cost, with a final adjusted total Project cost of \$246,996.55, all as more fully set forth in Exhibit "A" attached hereto and incorporated herein by reference;

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 (Final) comprising additional work and reconciliation of quantities, resulting in an increase in the amount of \$20,996.55, as recommended by the City Engineer; and, after the issuance and approval of said Change Order No. 1 (Final) and compliance with the terms and conditions of the contract, to direct the Director of Finance to make payment to Digioia-Suburban Excavating, LLC, consistent with the adjusted and increased total Project cost of \$246,996.55.

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**Section 2.** That the funds for the purposes of this Ordinance and the Project have been appropriated and shall be paid from the Sanitary Sewer Fund.

**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 the payment of the aforesaid sum is immediately necessary in order to provide compensation for additional work performed by the contractor on the Project, to properly and promptly complete the Project, to avoid potential legal problems, to provide more efficient sewage collection and disposal in the affected area, improve properties within the City, 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 Daymut  
President of Council

Approved: Thomas S. Surur  
Mayor

Date Passed: July 21, 2014.

Date Approved: July 22, 2014.

	<u>Yea</u>	<u>Nay</u>
Carbone	<u>✓</u>	<u>      </u>
Daymut	<u>✓</u>	<u>      </u>
DeMio	<u>✓</u>	<u>      </u>
Dooner	<u>✓</u>	<u>      </u>
Maloney	<u>✓</u>	<u>      </u>
Schönhut	<u>✓</u>	<u>      </u>
Southworth	<u>✓</u>	<u>      </u>

Attest: Aimee Prietko  
Clerk of Council

ORD. No. 2014-142 Amended:         
1st Rdg. 07/21/14 Ref:         
2nd Rdg. SUSPENDED Ref:         
3rd Rdg. SUSPENDED Ref:       

Pub Hrg.        Ref:         
Adopted: 07/25/14 Defeated:

## CHANGE ORDER

Order No. **1 Final**  
Date: **July 21, 2014**  
Agreement Date: **March 27, 2014**

Name of PROJECT: **Prospect Road Sanitary Relocation Project 2014**

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: **\$226,000.00**

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

The CONTRACT PRICE due to this CHANGE ORDER will be **increased** by:  
**\$20,996.55**

The new CONTRACT PRICE including this CHANGE ORDER will be:  
**\$246,996.55**

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, P. E., City Engineer**

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

**EXHIBIT A**

**INVOICE SUMMARY**  
Contractor: DiGioia Suburban

No.	Description	UNITS	BID UNIT PRICE	BID QUANTITY	ACTUAL QUANTITY	BID AMOUNT	ACTUAL AMOUNT
1	Clearing and Grubbing	LS	\$ 3,000.00	1	1	\$ 3,000.00	\$ 3,000.00
2	Pavement Removed (Prospect & Fair) including sawcut	SY	\$ 9.00	190	190	\$ 1,710.00	\$ 1,710.00
3	Concrete Apron Replacement	SY	\$ 70.35	140	140	\$ 9,849.00	\$ 9,849.00
4	Concrete Sidewalk Replacement	SF	\$ 6.85	600	600	\$ 4,110.00	\$ 4,110.00
5	Low Strength Mortar Backfill, Type 2	CY	\$ 72.00	200	248	\$ 14,400.00	\$ 17,856.00
6	Reinforced Concrete doweled into ex. Culvert	SY	\$ 132.70	40	40	\$ 5,308.00	\$ 5,308.00
7	Replacement Curb, Type 2A	LF	\$ 10.30	50	50	\$ 515.00	\$ 515.00
8	Asphalt Concrete Intermediate Course, Type 1, PG64-22 (1.5" thick)	CY	\$ 360.00	8	29.97	\$ 2,880.00	\$ 10,789.20
9	Tack Coat (0.10 gal/SY)	GAL	\$ 3.10	16	75	\$ 49.60	\$ 232.50
10	Asphalt Concrete Surface Course, Type 1, PG64-22 (1.5" thick)	CY	\$ 360.00	8	19.90	\$ 2,880.00	\$ 7,164.00
11	7" Reinforced Concrete Pavement (MS Concrete)	SY	\$ 68.45	190	190	\$ 13,005.50	\$ 13,005.50
12	12" Conduit Type B (under pavement) SDR 35	LF	\$ 84.40	50	50	\$ 4,220.00	\$ 4,220.00
13	12" Conduit Type C (not under pavement) SDR 35	LF	\$ 62.00	500	500	\$ 31,000.00	\$ 31,000.00
14	12" Ductile Iron Pipe w/ restrained joints	LF	\$ 132.65	100	113	\$ 13,265.00	\$ 14,989.45
15	Precast Sanitary Manhole, No.3, 48" Base	EA.	\$ 2,950.00	4	4	\$ 11,800.00	\$ 11,800.00
16	Precast Sanitary Manhole, No.3 Doghouse, 84" Base w/ watertight casting	EA.	\$ 11,600.00	1	1	\$ 11,600.00	\$ 11,600.00
17	Abandon existing sanitary main (10")	LS	\$ 2,000.00	1	1	\$ 2,000.00	\$ 2,000.00
18	Manhole Abandonment	EA.	\$ 435.00	1	1	\$ 435.00	\$ 435.00
19	6" Sanitary Lateral Connection	EA.	\$ 1,985.00	3	3	\$ 5,955.00	\$ 5,955.00
20	36" RCP Storm Sewer, Class IV (under pavement)	LF	\$ 154.70	35	35	\$ 5,414.50	\$ 5,414.50
21	36" RCP Storm Sewer, Class III (not under pavement)	LF	\$ 138.65	75	75	\$ 10,398.75	\$ 10,398.75
22	Precast Storm Manhole, No. 3, 60" Base	EA.	\$ 2,925.00	3	3	\$ 8,775.00	\$ 8,775.00
23	Full Height Headwall (36" RCP)	EA.	\$ 5,880.00	1	1	\$ 5,880.00	\$ 5,880.00
24	Rock Channel Protection, Type B with Aggregate Filter	CY	\$ 60.00	25	25	\$ 1,500.00	\$ 1,500.00
25	Rock Channel Protection, Removed and Reset	SY	\$ 35.00	75	75	\$ 2,625.00	\$ 2,625.00
26	Catch Basin No. 2-2B* (Contingency Item)	EA.	\$ 1,300.00	1	0	\$ 1,300.00	\$ -
27	12" Drive Culvert* (Contingency Item)	LF	\$ 25.00	20	0	\$ 500.00	\$ -
28	Water Main Removed (12")	LS	\$ 700.00	1	1	\$ 700.00	\$ 700.00
29	12" Water Main Ductile Iron Pipe with Push-On and Retained Mechanical Joint	LF	\$ 174.75	110	110	\$ 19,222.50	\$ 19,222.50
30	Fittings, ANSI Class 52	EA.	\$ 300.00	1	0	\$ 300.00	\$ -
31	Valve Box Adjusted to Grade* (Contingency Item)	EA.	\$ 2,900.00	1	0	\$ 2,900.00	\$ -
32	Install 1" Water Service Connection, Long Side, Complete* (Contingency Item)	EA.	\$ 2,050.00	1	1	\$ 2,050.00	\$ 2,050.00
33	Install 1" Water Service Connection, Short Side, Complete	EA.	\$ 2,050.00	1	1	\$ 2,050.00	\$ 2,050.00
34	Maintenance of Traffic	LS	\$ 3,300.00	1	1	\$ 3,300.00	\$ 3,300.00
35	Preconstruction Video	LS	\$ 1,000.00	1	1	\$ 1,000.00	\$ 1,000.00
36	Construction Layout/Staking	LS	\$ 1,600.00	1	1	\$ 1,600.00	\$ 1,600.00
37	Mobilization	LS	\$ 7,525.00	1	1	\$ 7,525.00	\$ 7,525.00
38	Testing, Cleaning and Video Taping of Sewers, Complete	LS	\$ 3,800.00	1	1	\$ 3,800.00	\$ 3,800.00
39	Pavement Marking	LS	\$ 516.15	1	1	\$ 516.15	\$ 516.15
40	Site Restoration	LS	\$ 2,600.00	1	1	\$ 2,600.00	\$ 2,600.00
41	Erosion and Sedimentation Control	LS	\$ 4,000.00	1	1	\$ 4,000.00	\$ 4,000.00
42	Mailbox Support	EA.	\$ 75.00	2	2	\$ 150.00	\$ 150.00
43	As Builts	LS	\$ 500.00	1	1	\$ 500.00	\$ 500.00
44	Abandon & Grout 15" Storm Sewer (per plans)	LF	\$ 24.35	60	60	\$ 1,461.00	\$ 1,461.00
	Change Order						
EX 1	12" Waterline Valve	LS	\$ 5,900.00	0	1	\$ -	\$ 5,900.00
EX 2	12" RCP Storm Sewer	LF	\$ 60.00	0	24	\$ -	\$ 1,440.00
EX 3	Additional Pavement Markings	LS	\$ 1,100.00	0	1	\$ -	\$ 1,100.00