

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 144

By: Mayor Perciak and Mr. Maloney

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 LAKE COUNTY SEWER CO., INC., IN CONNECTION WITH THE SANITARY SEWER REHABILITATION PROGRAM FOR 2013-PHASE II, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2013-259, Council authorized the Mayor to enter into a contract with Lake County Sewer Co., Inc. ("Lake County"), for the Sanitary Sewer Rehabilitation Program for 2013-Phase II; and

WHEREAS, Section 2 of the contract documents, and the Notice to Proceed, which have been executed, provide that the work was to be commenced on or before December 9, 2013 and completed within ninety (90) days thereafter; and

WHEREAS, due to circumstances beyond the reasonable control of Lake County consisting of inclement weather conditions bearing upon its ability to properly conduct the work, Lake County has been unavoidably delayed in completing the work as required by the contract terms; and

WHEREAS, Lake County, therefore, has requested an extension of time to resume and complete its obligations under the contract, with a new completion date of November 21, 2014, at the same contract price; and

WHEREAS, the City Engineer has advised that, due to such extenuating circumstances created by the seasonal weather conditions, an extension of the time to complete the work by November 21, 2014 would be warranted and is reasonably required.

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 date to November 21, 2014, as determined by the City Engineer and the contractor, all in the form

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attached hereto as Exhibit A, but at the same contract bid price and in accordance with all other applicable terms and conditions.

Section 2. That the funds for the purposes of said contract 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 extension of the contract completion time is immediately necessary to provide sufficient time for the contractor to ensure proper quality of the work to be undertaken during appropriate weather conditions, 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.

Michael Daymut
President of Council

Approved: James B. Zuercher
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> |
| Schonhut | <u>✓</u> | <u> </u> |
| Southworth | <u>✓</u> | <u> </u> |

Attest: Aimee Pientka
Clerk of Council

ORD. No. 2014-144 Amended:
1st Rdg. 07-21-14 Ref:
2nd Rdg. Suspended Ref:
3rd Rdg. Suspended Ref:

Pub Hrg. Ref:
Adopted: 07-21-14. Defeated:

CHANGE ORDER

Order No. **1**
Date: **July 21, 2014**
Agreement Date: **November 25, 2013**

Name of PROJECT: **Sanitary Sewer Rehabilitation Program – Phase II**

CONTRACTOR: **Lake County Sewer Company, 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: **\$300,129.00**

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

The CONTRACT PRICE due to this CHANGE ORDER will be **increased** by: **N/A**

The new CONTRACT PRICE including this CHANGE ORDER will be: **N/A**

Change to CONTRACT TIME:

The CONTRACT TIME will be (increased) (decreased) by
_____ calendar day(s).

The date for completion of all WORK will be (Date): **November 21, 2014**

Requested by: _____
Lake County Sewer Company, Inc.

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

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

EXHIBIT A



LAKE COUNTY SEWER CO., INC.

32900 Lakeland Blvd. ▪ Willowick ▪ Ohio ▪ 44095

Phone 440.585.5757 ▪ Fax 440.585.2253

www.lakecountysewer.com

July 9, 2014

City of Strongsville
16099 Foltz Pkwy
Strongsville, Ohio 44149

RE: Sanitary Sewer Rehabilitation Program – Phase I
Sanitary Sewer Rehabilitation Program – Phase II

Mr. Kilbane:

Lake County Sewer Co., Inc. is respectfully requesting to extend the current contract. We are making this request as the weather conditions that we have encountered over the last few months have hindered and pushed back a majority of our scheduled work. This intern has pushed back our work on the contract within the City of Strongsville in regards to the lateral grouting on both contracts.

Lake County Sewer Co., Inc. is scheduled to re-mobilize on the project on, Monday, September 22, 2014, and if it is possible we will mobilize sooner. Once we mobilize back to the project site we will remain there until the work is completed on both phases. Lake County Sewer Co., Inc. anticipates completing the remaining work in approximately 45 days, weather permitting. If you should have any questions please do not hesitate to contact me directly.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Rick Marucci Sec.".

Rick Marucci, Sec.

070914
RGM/dmr

HIGH TECHNOLOGY
TO BETTER SERVE YOUR NEEDS

SEWER & MANHOLE
INSPECTION, MAINTENANCE & REHABILITATION