

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 239

By: Mr. Maloney

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 1 (FINAL) FOR AN INCREASE IN THE CONTRACT PRICE IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND KONSTRUCTION KING, INC., IN CONNECTION WITH THE PAVEMENT RECONSTRUCTION PROGRAM FOR 2014-PHASE II, AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Ordinance No. 2014-160, Council authorized the Mayor to enter into a contract with Konstruction King, Inc. for improvements to various streets in the City of Strongsville, in connection with the Pavement Reconstruction Program for 2014-Phase II (the "Project"), in an amount not to exceed \$1,056,561.50; and

WHEREAS, the City's Engineer now has advised and recommended that adjustments in the final Project cost are necessary due to additional work requested by the City, and the reconciliation of plan quantities with actual field quantities in the work performed by Konstruction King, Inc., and that accordingly it would be in the best interest of the City to provide additional payment for such changes in the work in the amount of \$29,938.19, for a new total Project cost as finally adjusted of \$1,086,499.69, as reflected in Exhibit "A" attached hereto and incorporated herein as if fully rewritten;

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 plan and field quantities resulting in an increase to the Project cost in the amount of \$29,938.19, as recommended by the City Engineer, and reflected in Exhibit "A"; and after the issuance and approval of said Change Order No. 1 (Final) and completion of such work, to direct the Director of Finance to make payment to Konstruction King, Inc., in the additional amount of \$29,938.19, thereby increasing the total Project cost as finally adjusted to \$1,086,499.69.

**Section 2.** That the funds for the purposes of this Ordinance have been appropriated and shall be paid from the General Capital Improvement 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

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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 and/or quantities of materials actually utilized, to avoid potential legal entanglements, 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: Thomas J. Susser  
Mayor

Date Passed: December 15, 2014.Date Approved: December 16, 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: Christina Meneh  
Acting Clerk of Council

ORD. No. 2014-239 Amended:         
1st Rdg. 12-15-14. Ref:         
2nd Rdg. Suspended. Ref:         
3rd Rdg. Suspended. Ref:       

Pub Hrg.        Ref:         
Adopted: 12-15-14. Defeated:

## CHANGE ORDER

Order No. **1 Final**  
Date: **December 15, 2014**  
Agreement Date: **September 4, 2014**

Name of PROJECT: **2014 Pavement Reconstruction Program – Phase II**

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: **\$1,056,561.50**

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

The CONTRACT PRICE due to this CHANGE ORDER will be **increased** by:  
**\$29,938.19**

The new CONTRACT PRICE including this CHANGE ORDER will be:  
**\$1,086,499.69**

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: \_\_\_\_\_  
**Konstruktion King, Inc.**

Recommended by: \_\_\_\_\_  
**Ken Mikula, P. E., City Engineer**

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

**EXHIBIT A**

**CITY OF STRONGSVILLE 2014 PAVEMENT RECONSTRUCTION PROGRAM CHANGE ORDER NO.1 FINAL**

[illegible]TOTAL  
INCREASE

\$1,056,561.50	\$1,086,499.69
	\$29,938.19