

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 - 115

By: Mr. Maloney

AN ORDINANCE AUTHORIZING, RATIFYING 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 KONSTRUCTION KING, INC., IN CONNECTION WITH THE PAVEMENT RECONSTRUCTION PROGRAM FOR 2015, WITHOUT FURTHER PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2015-037, 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 2015 (the "Project"), in an amount not to exceed \$908,893.00; 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 Konstruction King, Inc., generally being additional work on Albion Road requested by the City, and reconciliation of plan quantities with actual quantities in the work performed, all as more fully set forth in 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 \$150,000.00 for a new total Project cost of \$1,058,893.00.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO, BY UNANIMOUS AFFIRMATIVE VOTE:

Section 1. That the Mayor be and is hereby authorized and directed to ratify, issue and approve Change Order No. 1 comprising additional work requested by the City and reconciliation of plan quantities with actual quantities resulting in an increase to the contract in the amount of \$150,000.00, without further public bidding, as recommended by the City Engineer, and reflected in Exhibit A; 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 Konstruction King, Inc. in the additional amount of \$150,000.00, thereby increasing the total Project cost to \$1,058,893.00.

Section 2. That the funds necessary for 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 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 problems, and conserve public funds. Therefore, provided this Ordinance receives the unanimous vote of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Michael Daymut
President of Council

Approved: Thomas S. Burier
Mayor

Date Passed: June 15, 2015

Date Approved: June 16, 2015

| | <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 Pientko
Clerk of Council

ORD. No. 2015-115 Amended: _____

1st Rdg. 06/15/15 Ref: _____

2nd Rdg. Suspended Ref: _____

3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: 06/15/15 Defeated: _____

CHANGE ORDER

Order No. # 1
Date: June 9, 2015
Agreement Date: April 10, 2015

Name of PROJECT: **2015 Pavement Reconstruction Program**

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: **\$908,893.00**

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

The CONTRACT PRICE due to this CHANGE ORDER will be **increased** by: **\$150,000**

The new CONTRACT PRICE including this CHANGE ORDER will be:
\$1,058,893.00

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