

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2022 – 004

By: Mayor Perciak and All Members of Council

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 FABRIZI TRUCKING & PAVING COMPANY, INC., IN CONNECTION WITH THE WEST 130TH AND SPRAGUE ROAD PUMP STATION REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2019-165, Council authorized the Mayor to enter into a contract with Fabrizi Trucking & Paving Company, Inc. for replacement of a pump station in the City of Strongsville, in connection with the West 130th and Sprague Road Pump Station Replacement Project (the "Project"), in an amount not to exceed \$365,956.00; 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 Fabrizi Trucking & Paving Company, Inc., generally being reconciliation of plan quantities to actual field quantities, and additional work required and requested by the City, 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 \$9,755.13 for a new total Project cost of \$375,711.13.

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) to the contract in the amount of \$9,755.13, 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 **FABRIZI TRUCKING & PAVING COMPANY, INC.**, in the additional amount of \$9,755.13, thereby increasing the total contract and Project cost to \$375,711.13.

Section 2. That the funds necessary for this Ordinance have been appropriated and shall be paid from the Sanitary Sewer Fund; and that the Director of Finance be and is hereby authorized and directed to issue the City's warrants for payment accordingly, and in accordance with the terms and conditions of the contract.

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 unanticipated changes in the work, to avoid potential legal problems, 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.

J. Carbone
 President of Council

Approved: *Thomas J. Susino*
 Mayor

Date Passed: 01.18.2022

Date Approved: Jan. 18, 2022

	<u>Yea</u>	<u>Nay</u>
Carbone	<u>✓</u>	_____
DeMio	<u>✓</u>	_____
Kaminski	<u>✓</u>	_____
Kosek	<u>Abstain</u>	_____
Roff	<u>✓</u>	_____
Clark	<u>✓</u>	_____
Short	<u>✓</u>	_____

Attest: *Aimee Pientka*
 Clerk of Council

ORD. No. 2022-004 Amended: _____
 1st Rdg. 01-18-22 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: 01-18-22 Defeated: _____

CHANGE ORDER

Order No. # 1 Final
Date: January 18, 2022
Agreement Date: November 14, 2019

Name of PROJECT: **West 130th and Sprague Road Pump Station**

CONTRACTOR: **Fabrizi Trucking and Paving, Inc.**

The following changes are hereby made to the CONTRACT DOCUMENTS:

Justification: Project close out to actual quantities

Change to CONTRACT PRICE

Original CONTRACT PRICE: **\$365,956.00**

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

The CONTRACT PRICE due to this CHANGE ORDER will be **increased** by: **\$9,755.13**

The new CONTRACT PRICE including this CHANGE ORDER will be: **\$375,711.13**

Change to CONTRACT TIME: **N/A**

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: _____
Fabrizi Trucking and Paving, Co.

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

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