

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2024 – 146

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ISSUE AND APPROVE CHANGE ORDER NO. 16 FOR AN INCREASE IN THE CONTRACT PRICE, IN ACCORDANCE WITH THE PROVISIONS OF THE CONTRACT BETWEEN THE CITY OF STRONGSVILLE AND GILBANE BUILDING COMPANY IN CONNECTION WITH THE STRONGSVILLE TOWN CENTER PROJECT, AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Ordinance No. 2023-106, Council authorized the Mayor to enter into a contract with Gilbane Building Company, in connection with the Strongsville Town Center Project, in the City of Strongsville, (the "Project"), in an amount not to exceed \$8,901,779.00; and

WHEREAS, by and through Ordinance Nos. 2023-137, 2023-158, 2024-011, 2024-027, 2024-043, 2024-079, 2024-098 and 2024-117, the City's authorized Owner's Representative for this Project, RFC Contracting, Inc. recommended, and the City Engineer determined it would be in the best interests of the City to approve Change Order Nos. 1 through 15, to include as part of the Project various additional work required for the Project to continue, as well as an extension of the contract completion date, all in the net total amount of \$707,674.00.00, for an increase in the total Project cost to \$9,609,453.00; and

WHEREAS, at this time, the City's authorized Owner's Representative has now recommended, and the City Engineer has determined, it would be in the best interests of the City to include further changes in the work performed or to be performed on the Project by Gilbane Building Company, generally being additional multiple sub-contractor costs and scope items, and additional work required as requested by the City and necessary to the Project, all as more fully set forth in Change Order No. 16, attached hereto as Exhibit A, and incorporated herein as if fully rewritten, in the increased amount of \$29,629.00, for a new total Project cost of \$9,639,082.00; and

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. 16 to the contract in the total amount of \$29,629.00, as recommended by the City's Owner's Representative and City Engineer, and reflected on Exhibit A; and after the issuance and approval of said Change Order No. 16 and compliance with the terms and conditions of the contract, to direct the Director of Finance to make payment to **GILBANE BUILDING COMPANY** in the additional amount of \$29,629.00, thereby increasing the total Project cost to \$9,639,082.00.

**Section 2.** That the funds necessary for this Ordinance have been appropriated and shall be paid from the Town Center 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 complete the Project, and 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 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

Date Passed: 10.07.2024

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Clark	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kaminski	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Kosek	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roff	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Short	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Spring	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Approved: *Thomas B. Bria*  
 Mayor

Date Approved: Oct 9, 2024

Attest: *Alison Piexha*  
 Clerk of Council

Ord. No. 2024-146 Amended: \_\_\_\_\_  
 1<sup>st</sup> Rdg. 10-07-24 Ref: \_\_\_\_\_  
 2<sup>nd</sup> Rdg. Suspended Ref: \_\_\_\_\_  
 3<sup>rd</sup> Rdg. Suspended Ref: \_\_\_\_\_

Public Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: 10-07-24 Defeated: \_\_\_\_\_

# AIA® Document G701® – 2017

## Change Order

<b>PROJECT:</b> (Name and address) Strongsville Town Center 18100 Royalton Road Strongsville, OH 44136	<b>CONTRACT INFORMATION:</b> Contract For: General Construction Date: 07/26/2023	<b>CHANGE ORDER INFORMATION:</b> Change Order Number: 016 Date: September 25, 2024
<b>OWNER:</b> (Name and address) City of Strongsville 16099 Foltz Parkway Strongsville, OH 44149	<b>ARCHITECT:</b> (Name and address) Brandstetter Carroll, Inc. 1220 West Sixth Street, Suite 300 Cleveland, OH 44113	<b>CONTRACTOR:</b> (Name and address) Gilbane Building Company 950 Main Avenue, Suite 1410 Cleveland, OH 44113

**THE CONTRACT IS CHANGED AS FOLLOWS:**

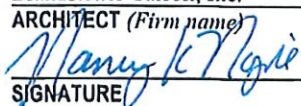
(Insert a detailed description of the change and, if applicable, attach or reference specific exhibits. Also include agreed upon adjustments attributable to executed Construction Change Directives.)


- COR 38: Pipe Enclosure - add \$4,209.00
- COR 39: Additional Batt Insulation - add \$12,673.00
- COR 40: Splashpad Electrical - add \$5,134.00
- COR 41: Backflow Preventer for Splashpad - add \$2,536.00
- COR 42: HVAC Revisions - add \$5,077.00

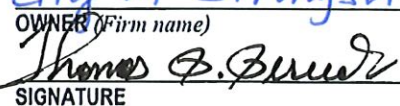
The original Contract Sum was	\$ 8,901,779.00
The net change by previously authorized Change Orders	\$ <del>-645,936.00</del> 707,674.00
The Contract Sum prior to this Change Order was	\$ <del>-9,547,715.00</del> 9,609,453.00
The Contract Sum will be increased by this Change Order in the amount of	\$ 29,629.00
The new Contract Sum including this Change Order will be	\$ <del>-9,577,344.00</del> 9,639,082.00
The Contract Time will be unchanged by zero (0) days.	
The new date of Substantial Completion will be 09/20/2024	

**NOTE:** This Change Order does not include adjustments to the Contract Sum or Guaranteed Maximum Price, or the Contract Time, that have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

**NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.**

Brandstetter Carroll, Inc.  
**ARCHITECT** (Firm name)  
  
**SIGNATURE**  
 Nancy Nozik, Vice President  
**PRINTED NAME AND TITLE**  
 9-25-2024  
**DATE**

**CONTRACTOR** (Firm name)  
  
**SIGNATURE**  
 Daniel Focht  
 signed by Dan Focht  
 DN: C=US,  
 E=dfocht@gilbane.com,  
 O=Gilbane Building Company, OU=Project Manager, CN=Dan Focht  
 Date: 2024.09.26  
**PRINTED NAME AND TITLE**  
 Daniel Focht  
**DATE**

City of Strongsville  
**OWNER** (Firm name)  
  
**SIGNATURE**  
 Thomas P. Perciak, Mayor  
**PRINTED NAME AND TITLE**  
 Oct 9, 2024  
**DATE**

EX.A