

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2024 – 182

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 SET IN STONE CONTRACTING, LLC, IN CONNECTION WITH THE 2024 PAVEMENT RECONSTRUCTION PROGRAM, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 2024-045, Council authorized the Mayor to enter into a contract with Set in Stone Contractng, LLC for improvements to various streets in the City of Strongsville, in connection with the 2024 Pavement Reconstruction Program (the "Project"), in an amount not to exceed \$2,303,100.50; 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 Set in Stone Contracting, LLC, and that accordingly it would be in the best interest of the City to provide additional payment for such changes in the amount of \$11,216.42 for a new total Project cost as finally adjusted of \$2,314,316.92, 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 \$11,216.42, 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 **SET IN STONE CONTRACTING, LLC**, in the additional amount of \$11,216.42 thereby increasing the total Project cost as finally adjusted to \$2,314,316.92.

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 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.

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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, 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.

[Signature]
President of Council

Date Passed: 11 19 2024

Approved: [Signature]
Mayor

Date Approved: Nov. 18, 2024

Attest: [Signature]
Clerk of Council

| | <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 | <u>Absent</u> | <input type="checkbox"/> |
| Short | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| Spring | <input checked="" type="checkbox"/> | <input type="checkbox"/> |

Ord. No. 2024-182 Amended: _____
 1st Rdg. 11-18-24 Ref: _____
 2nd Rdg. Suspended Ref: _____
 3rd Rdg. Suspended Ref: _____

Public Hrg. _____ Ref: _____
 Adopted: 11-18-24 Defeated: _____

CHANGE ORDER

Order No. # 1 Final
Date: November 18, 2024
Agreement Date: April 18, 2024

Name of PROJECT: **2024 Pavement Reconstruction Program**

CONTRACTOR: **Set In Stone Contracting, LLC**

The following changes are hereby made to the CONTRACTOR DOCUMENTS:

Justification: Additional work as requested by the City.

Change to CONTRACT PRICE

Original CONTRACT PRICE: **\$2,303,100.50**

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

The CONTRACT PRICE due to this CHANGE ORDER will be **increased** by:
\$11,216.42

The new CONTRACT PRICE including this CHANGE ORDER will be:
\$2,314,316.92

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):

Requested by: _____
Set In Stone Contracting, LLC

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

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