

ORDINANCE NO. 20-178

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST CHANGE ORDER FOR WORK PERFORMED BY D.L. SMITH CONCRETE, LLC, OF NORWALK, OHIO, FOR THE SAFE ROUTES TO SCHOOL (SRTS) SANDUSKY MIDDLE SCHOOL PROJECT, PID 103737, IN THE AMOUNT OF \$3,870.43; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Ohio Safe Route to School (SRTS) Program is funded by the Federal Highway Administration and administered by the Ohio Department of Transportation to support projects and programs that enable and encourage walking and bicycling to and from school; and

WHEREAS, this City Commission declared the necessity to proceed with the proposed Safe Routes to School (SRTS) Sandusky Middle School Project by Resolution No. 044-19R, passed on November 25, 2019; and

WHEREAS, the Sandusky Middle School project involved infrastructure improvements as summarized below:

1.	Install bicycle racks at middle school campus.
2.	Install school flashers with radar feedback & create school zone on Perkins Avenue.
3.	Install ADA compliant curb ramps, stop bars, and crosswalks at the intersections on Buchanan Street at Camp Street, Carr Street, Shelby Street, McDonough Street and Hayes Avenue.
4.	Install ADA compliant curb ramps, stop bars, and crosswalks at the intersections on Johnson Street at Camp Street, Carr Street, Shelby Street, McDonough Street, and Hayes Avenue.
5.	Install ADA compliant curb ramps, stop bars, and crosswalks at the intersections on Camp Street at Forest Drive and Orlando Pace Drive.
6.	Install ADA compliant curb ramps, stop bars, and crosswalks at the intersections on Hayes Avenue at Orlando Pace Drive and Rockwell Street.
7.	Install countdown pedestrian signals at the existing traffic signals and upgrade striping at the intersection of Hayes Avenue and Pierce Street.
8.	Replace the existing sidewalk as needed for approximately 1700 feet along Camp Street between West Perkins Avenue and Pierce Street.

WHEREAS, this City Commission approved the awarding of the contract to D.L. Smith Concrete, LLC, of Norwalk, Ohio, for work to be performed for the Safe Routes to School (SRTS) Sandusky Middle School Project by Ordinance No. 20-034, passed on February 10, 2020; and

WHEREAS, this First Change Order reflects the actual work performed in the field by the contractor and the actual quantities used and an extension of the final completion date from July 21, 2020, to October 16, 2020, due to a delay in the manufacturing and delivery of the school zone assembly signs caused by COVID-19; and

WHEREAS, the original contract with D.L. Smith Concrete, LLC, was \$177,770.50 and with the addition of this First Change Order in the amount of

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\$3,870.43, the final contract cost is \$181,640.93 and will be paid with Federal Highway Administration (FHWA) funds through the Ohio Department of Transportation (ODOT); and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to make payment to contractor in a timely manner for work already performed; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is hereby authorized and directed to approve this First Change Order for work performed for the Safe Routes to School (SRTS) Sandusky Middle School Project, PID 103737, in an amount **not to exceed** Three Thousand Eight Hundred Seventy and 43/100 Dollars (\$3,870.43) resulting in the final contract cost of One Hundred Eighty One Thousand Six Hundred Forty and 93/100 Dollars (\$181,640.93) with D.L. Smith Concrete, LLC, of Norwalk, Ohio.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take

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immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: November 23, 2020