

ORDINANCE NO. 21-062

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY MOSSER CONSTRUCTION INC. OF FREMONT, OHIO, FOR THE WASTEWATER TREATMENT PLANT FERROUS CHLORIDE SYSTEM REHABILITATION PROJECT IN THE AMOUNT OF \$17,550.42; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project involved the replacement of two (2) 8700 gallon Ferrous Chloride storage tanks, construction of outside secondary containment for the tanks, replacement of piping, stairway supports, handrailings and controls, which have been exposed to Ferrous Chloride for years, with stainless steel, fiberglass, PVC and plastic materials, where practical, to bring up to the current safety standards; and

WHEREAS, this City Commission declared the necessity to proceed with the Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project by Resolution No. 015-20R, passed on April 27, 2020; and

WHEREAS, this City Commission approved the awarding of the contract to Mosser Construction, Inc. of Fremont, Ohio, for work to be performed for the Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project by Ordinance No. 20-101, passed on July 13, 2020; and

WHEREAS, this First & Final Change Order reflects the addition of items and the actual work performed in the field by the contractor and the actual quantities used and are summarized as follows:

- Adding provisions for a recirculation line for tempered (warm) water supplied at the outdoor safety shower – Omitted in plans
- Burying a cold water supply line for the hot water tank – Omitted in plans
- Adding floor drains in the scum building – Omitted in plans
- Additional sidewalk needing replaced beyond estimated bid quantity – More than plan quantity
- Haul away spoils – More than plan quantity
- Asphalt Demolition – More than plan quantity
- Sidewalk Demolition – More than plan quantity
- Containment Wall construction – More than plan quantity
- Excavation – More than plan quantity
- Backfill – More than plan quantity
- 1" Chemical Hose – More than plan quantity
- 2" schedule 80 PVC drain line – More than plan quantity
- 2x4 PVC double containment pipe – More than plan quantity

WHEREAS, the original contract with Mosser Construction, Inc. was \$659,582.93, which included a contingency allowance, and with the addition of this First & Final Change Order, the contingency will be depleted and the contract

PAGE 2 - ORDINANCE NO. 21-062

will be increased by \$17,550.42, resulting in a final contract cost of \$677,133.35 which will be paid with Sewer Funds; 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 to close out the completed project; 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 & Final Change Order for work performed for Wastewater Treatment Plant Ferrous Chloride System Rehabilitation Project in an amount **not to exceed** Seventeen Thousand Five Hundred Fifty and 42/100 Dollars (\$17,550.42) resulting in the final contract cost of Six Hundred Seventy Seven Thousand One Hundred Thirty Three and 35/100 Dollars (\$677,133.35) with Mosser Construction, Inc. of Fremont, 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

PAGE 3 - ORDINANCE NO. 21-062

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: April 26, 2021