

ORDINANCE NO. 21-139

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY ERIE BLACKTOP, INC., OF SANDUSKY, OHIO, FOR THE CAMP STREET RECONSTRUCTION AND RESURFACING PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, this City Commission authorized the submission of an application and to enter into a Project Agreement with the Ohio Public Works Commission (OPWC) to participate in the Ohio Public Works Commission’s State Capital Improvement and/or Local Transportation Improvement Programs authorized by Chapter 164 (Aid to Local Government Improvements) of the Ohio Revised Code for the Camp Street Resurfacing and Reconstruction Project by Resolution No. 031-19R, passed on August 12, 2019; and

WHEREAS, the Camp Street Resurfacing and Reconstruction Project involved the resurfacing and reconstruction of Camp Street between Monroe Street and Washington Street including the milling and resurfacing of pavement with three (3) inches of asphalt along with the replacement of small sections of sidewalks, drive approaches, and curbing where necessary and replacement of curb ramps to meet ADA specifications; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed Camp Street Reconstruction and Resurfacing Project by Resolution No. 003-21R, passed on February 8, 2021; and

WHEREAS, this City Commission approved the awarding of the contract to Erie Blacktop, Inc., of Sandusky, Ohio, for work to be performed for the Camp Street Reconstruction and Resurfacing Project by Ordinance No. 21-059, passed on April 26, 2021; and

WHEREAS, this First & Final Change Order provides for additional work items, primarily involving the concrete drive approach and curb replacement, and reflects the actual work performed in the field by the contractor and the actual quantities used and is summarized as follows:

1.	TYPE 6 CURB	ADD	\$2,324.07
2.	CONCRETE STEPS REMOVE AND REPLACE	ADD	\$897.75
3.	INTEGRAL CURB WITH DRIVEWAY APRONS (INCLUDES COST OF MS)	ADD	\$11,189.55
4.	ADJUST WATER METERS(8) and GAS METERS(2) TO GRADE	ADD	\$1,680.00
5.	LANDFILL-RAILROAD TIES DISPOSAL	ADD	\$1,751.70
6.	6" DRIVE APPROACH REMOVAL	ADD	\$1,770.24
7.	6" CONCRETE DRIVE APPROACHES	ADD	\$7,073.25
8.	CURB REMOVAL-TYPE 6 & TYPE 2-AREA AT DRIVE APPROACHES & OTHER	ADD	\$6,777.44
9.	MS CONCRETE FOR DRIVES/WALK (6" SIDEWALK AND DRIVE APRON)	ADD	\$1,718.48
	SUM OF FINAL COST FOR BID ITEMS 1-42	DEDUCT	(\$76,680.84)

TOTAL (\$41,498.36)

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WHEREAS, the original contract with Erie Blacktop, Inc., of Sandusky, Ohio, was \$372,537.35, and with the **deduction** of this First & Final Change Order in the amount of \$41,498.36, the final contract cost is \$331,038.99 of which \$17,002.61 will be paid with a 0% OPWC loan, \$175,000.00 with OPWC grant funds, \$86,188.00 with Community Development Block Grant (CDBG) Funds, and \$52,848.38 with Issue 8 Street 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 final payment to the contractor 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 the Camp Street Reconstruction and Resurfacing Project and to **deduct** from the contract amount the sum of Forty One Thousand Four Hundred Ninety Eight and 36/100 Dollars (\$41,498.36) resulting in the final contract cost of Three Hundred Thirty One Thousand Thirty Eight and 99/100 Dollars (\$331,038.99) with Erie Blacktop, Inc., of Sandusky, 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.

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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 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: KELLY L. KRESSER
INTERIM CLERK OF THE CITY COMMISSION

Passed: September 27, 2021