

ORDINANCE NO. 20-155

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 PIERCE STREET RECONSTRUCTION AND RESURFACING PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Pierce Street Reconstruction and Resurfacing Project involved the milling and resurfacing of asphalt between Hayes Avenue and Thomas Street and the removal of concrete between Thomas Street and Campbell Street which will be replaced with asphalt, including new curb and gutters, the replacement of select sidewalks, and new handicap ramps; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed Pierce Street Reconstruction and Resurfacing Project by Resolution No. 024-19R, passed on June 24, 2019; 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 Pierce Street Reconstruction and Resurfacing Project by Ordinance No. 19-134, passed on August 12, 2019; and

WHEREAS, this First & Final Change Order reflects the actual work performed in the field by the contractor and the actual quantities used; and

WHEREAS, the original contract with Erie Blacktop, Inc., of Sandusky, Ohio, was \$356,879.71, and with the **deduction** of this First & Final Change Order in the amount of \$19,084.83, the final contract cost is \$337,794.88 and will be paid with Issue 8 Infrastructure Funds from the Capital Projects 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 Pierce Street Reconstruction and Resurfacing Project and to deduct from the contract amount

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the sum of Nineteen Thousand Eighty Four and 83/100 Dollars (\$19,084.83) resulting in the final contract cost of Three Hundred Thirty Seven Thousand Seven Hundred Ninety Four and 88/100 Dollars (\$337,794.88) 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.

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:

MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION

Passed: November 9, 2020