

## ORDINANCE NO. 21-104

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY GARZA DIRT WORKS, LLC, OF CLYDE, OHIO, FOR THE CDBG FY20 DEMOLITION PROJECT #1 IN THE AMOUNT OF \$950.00; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission declared the necessity for the City to proceed with the proposed CDBG FY20 Demolition Project #1 by Resolution No. 041-20R, passed on October 12, 2020, which involved the asbestos abatement and demolition of eight (8) vacant and blighted residential structures ordered for demolition by the City or the Housing Appeals Board and the privately owned properties are located at 1932 Putnam Street, 423 Fulton Street, 1520-1522 Hayes Avenue, 410 Lawrence Street, 805 N. Depot Street, and 1730 Putnam Street, and the City owned properties are located at 1913 Camp Street and 2106 Parkview Boulevard; and

**WHEREAS**, this City Commission approved the awarding of the contract to Garza Dirt Works, LLC, of Clyde, Ohio, for work being performed for the CDBG FY20 Demolition Project #1 by Ordinance No. 20-152, passed on October 26, 2020; and

**WHEREAS**, this First Change Order reflects additional work for asbestos removal found at the property located at 805 N. Depot Street in the amount of \$950.00; and

**WHEREAS**, the original contract with Garza Dirt Works, LLC was \$109,982.00, and with the addition of this First & Final Change Order in the amount of \$950.00, the final contract cost is \$110,932.00 and will be paid with FY19 Community Development Block Grant (CDBG) 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 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 Community Development, 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,

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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 CDBG FY20 Demolition Project #1 in an amount **not to exceed** Nine Hundred Fifty and 00/100 Dollars (\$950.00) resulting in the final contract cost of One Hundred Ten Thousand Nine Hundred Thirty Two and 00/100 Dollars (\$110,932.00) with Garza Dirt Works, LLC, of Clyde, 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.



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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION



ATTEST:

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MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: July 12, 2021