

ORDINANCE NO. 22-013

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY PRECISION PAVING, INC. OF MILAN, OHIO, FOR THE 2021 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) STREET REHABILITATION PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, TransMap performed a citywide pavement survey in 2015, which Staff updated through late 2020, only removing street segments that are planned for paving work in the Capital Plan and the segments that have been paved since the completion of the study; and

WHEREAS, the 2021 Community Development Block Grant (CDBG) Rehabilitation Project involved the resurfacing of the eleven (11) worst CDBG-eligible asphalt street segments in the City based upon Staff observations and feedback, complaints received, other planned work, and the updated TransMap survey; and

WHEREAS, the City Commission declared the necessity to proceed with the 2021 Community Development Block Grant (CDBG) Street Rehabilitation Project by Resolution No. 028-21R, passed on May 24, 2021; and

WHEREAS, the City Commission approved the awarding of the contract to Precision Paving, Inc. of Milan, Ohio, for work to be performed for the 2021 CDBG Street Rehabilitation Project by Ordinance No. 21-125, passed on August 9, 2021; and

WHEREAS, this First & Final Change Order reflects the actual work performed and the actual quantities used in the field by the contractor, unused contingency amount, and an over-estimation of full depth repairs necessary prior to paving; and

WHEREAS, the original contract with Precision Paving, Inc. of Milan, Ohio, was \$267,215.57, and with the **deduction** of this First & Final Change Order in the amount of \$30,273.05, the final contract cost is \$236,942.52 which will be paid with 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 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,

PAGE 2 - ORDINANCE NO. 22-013

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 2021 CDBG Street Rehabilitation Project and to **deduct** from the contract amount the sum of Thirty Thousand Two Hundred Seventy Three and 05/100 Dollars (\$30,273.05) resulting in the final contract cost of Two Hundred Thirty Six Thousand Nine Hundred Forty Two and 52/100 Dollars (\$236,942.52) with Precision Paving, Inc. of Milan, 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:

CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: February 14, 2022