

**ORDINANCE NO. 23-125**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY GARLAND/DBS, INC. OF CLEVELAND, OHIO, FOR THE SERVICE CENTER REPAIR AND RESTORATION PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the Service Center Repair and Restoration Project involved the installation of a new safety screen system over all existing fiberglass skylights, removal and replacement of existing roof access hatch system, removal and replacement of all existing gutters and downspouts, and masonry tuck pointing and vertical painting to the exterior of the facility; and

**WHEREAS**, this City Commission authorized and directed the City Manager to expend funds to Garland/DBS, Inc. of Cleveland, Ohio, through the U.S. Communities Government Purchasing Alliance (a.k.a. OMNIA Partners) for the Service Center Repair and Restoration Project by Ordinance No. 21-199, passed on December 13, 2021; and

**WHEREAS**, this First & Final Change Order reflects the actual work performed in the field by the contractor and the actual cost of materials; and

**WHEREAS**, the original contract with Garland/DBS, Inc., was \$518,081.00, and with the **deduction** of this First & Final Change Order in the amount of \$867.72, the final contract cost is \$517,213.28 and is being paid with Capital 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 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 Service Center Repair and Restoration Project and to **deduct** from the contract amount the sum of Eight Hundred Sixty-Seven and 72/100 Dollars (\$867.72) resulting in the final contract

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cost of Five Hundred Seventeen Thousand Two Hundred Thirteen and 28/100 Dollars (\$517,213.28) with Garland/DBS, Inc. of Cleveland, 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: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: June 12, 2023