

ORDINANCE NO. 23-182

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY KREIMES CO. INC. OF SANDUSKY, OHIO, FOR THE 2022 SIDEWALK REPAIR & REPLACEMENT PROJECT IN THE AMOUNT OF \$1,385.45; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the 2022 Sidewalk Repair & Replacement Project consists of over 9,875 square feet of sidewalk repairs and 127 linear feet of curb repairs and includes several residential locations and improvements to heaved slabs within the northwest quadrant of Washington Park; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed 2022 Sidewalk Repair & Replacement Project by Resolution No. 028-22R, passed on April 25, 2022; and

WHEREAS, the City Commission approved the awarding of the contract to The Kreimes Co. Inc. of Sandusky, Ohio, for work to be performed for the 2022 Sidewalk Repair & Replacement Project by Ordinance No. 22-127, passed on June 27, 2022; and

WHEREAS, this First & Final Change Order reflects the addition of a push activated pedestrian signal on Campbell Street at the Buchanan Street intersection as Staff observed an increase of pedestrian traffic in the area since the Intermediate School has been opened; and

WHEREAS, the original contract with The Kreimes Co. Inc. of Sandusky, Ohio, was \$121,116.33, and with the addition of this First & Final Change Order in the amount of \$1,385.45, the final contract cost is \$122,501.78 and the cost of the Change Order will be paid with Issue 8 infrastructure funds from the Capital Projects Fund; 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 items already installed in the field 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 2022 Sidewalk Repair

& Replacement Project in an amount **not to exceed** One Thousand Three Hundred Eighty-Five and 45/100 Dollars (\$1,385.45) resulting in the final contract cost of One Hundred Twenty-Two Thousand Five Hundred One and 78/100 Dollars (\$122,501.78) with The Kreimes Co. Inc. of Sandusky, Ohio, and to extend the completion date from October 22, 2022, to July 22, 2023.

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: September 11, 2023