

ORDINANCE NO. 23-255

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST CHANGE ORDER FOR WORK PERFORMED BY MOSSER CONSTRUCTION, INC. OF FREMONT, OHIO, FOR THE SANDUSKY JUSTICE CENTER PROJECT IN THE AMOUNT OF \$483,730.70; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Sandusky Justice Center Project consists of renovating and reconstructing the former City Hall, located at 222 Meigs Street, to serve as the Sandusky Justice Center, and house the Sandusky Police Department, Sandusky Municipal Court, and Prosecutor’s Office; and

WHEREAS, the City Commission approved an agreement for Professional Design Services with Richard L. Bowen & Associates, Inc. of Cleveland, Ohio, for the Justice Center Design Project Phase I by Ordinance No. 18-080, passed on May 13, 2019; and

WHEREAS, the City Commission approved a First Amendment to the agreement for Professional Design Services with Richard L. Bowen & Associates, Inc. of Cleveland, Ohio, for the Justice Center Design Project Phase I & II by Ordinance No. 21-122, passed on July 26, 2021; and

WHEREAS, the final design and site plan was presented and unanimously approved at the Planning Commission meeting on June 22, 2022; and

WHEREAS, this City Commission declared the necessity to proceed with the proposed Sandusky Justice Center Project by Resolution No. 040-22R, passed on July 11, 2022; and

WHEREAS, the City Commission approved the awarding of the contract to Mosser Construction, Inc. of Fremont, Ohio, for work to be performed for the Sandusky Justice Center Project by Ordinance No. 22-187, passed on September 12, 2022; and

WHEREAS, this First Change Order reflects the addition work provided for asbestos remediation and additional structural support for the Detective Bureau and new lobby and these items are summarized as follows:

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| Asbestos Remediation, Phase 1 (all) | ADD | \$181,386.37 |
| Asbestos Remediation, Phases 2 & 3 (known) | ADD | \$168,434.12 |
| Bulletin 5, Existing Mechanical Shaft | ADD | \$ 67,575.00 |
| <u>Lobby Steel</u> | <u>ADD</u> | <u>\$ 66,335.21</u> |
| Total | | \$483,730.70 |

WHEREAS, the original contract with Mosser Construction, Inc. of Fremont, Ohio, was \$10,623,800.00, and with the addition of this First Change Order in the amount of \$483,730.70, the revised contract cost is \$11,107,530.70 and the City anticipates issuing debt for the project and the debt service payments will be paid with Capital Projects Funds and General Bond Retirement 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 allow for prompt payment to the contractor for work already performed and/or work currently being performed; 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 Change Order for work performed for the Sandusky Justice Center Project in an amount **not to exceed** Four Hundred Eighty-Three Thousand Seven Hundred Thirty and 70/100 Dollars (\$483,730.70) resulting in a revised contract cost of Eleven Million One Hundred Seven Thousand Five Hundred Thirty and 70/100 Dollars (\$11,107,530.70) with Mosser Construction, Inc. of Fremont, 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: December 11, 2023