

ORDINANCE NO. 24-010

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY RMH CONCRETE & FOUNDATIONS, INC. OF COLLINS, OHIO, FOR THE 2023 JAYCEE AND WASHINGTON PARK CONCRETE PROJECT IN THE AMOUNT OF \$14,498.81; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the 2023 Jaycee and Washinton Park Concrete Project involved the addition of a walkway and concrete slab, to be used as the foundation under a 20' x 20' shelter, at Jaycee Park just south of the parking lot off Wayne Street and the addition of an oversized concrete chess board, approximately 32' x 20', and walkway at the northwest quadrant of West Washington Park; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed 2023 Jaycee and Washington Park Concrete Project by Resolution No. 037-23R, passed on August 28, 2023; and

WHEREAS, the City Commission approved the awarding of the contract to RMH Concrete & Foundations, Inc. of Collins, Ohio, for work to be performed for the 2023 Jaycee and Washinton Park Concrete Project by Ordinance No. 23-202, passed on October 9, 2023; and

WHEREAS, this First & Final Change Order reflects additional work required for the foundation at Jaycee Park after hitting bedrock, including additional topsoil and seeding, and the addition of new work for the installation of a flagpole base at Jaycee Park and repairs to the Historical Marker and abutting sidewalk at the Jackson Street Pier; and

WHEREAS, the original contract with RMH Concrete & Foundations, Inc. was \$44,048.20, and with the addition of this First & Final Change Order in the amount of \$14,498.81, the final contract cost is \$58,547.01 of which \$30,176.20 will be paid with funds donated from the Randolph J. & Estelle M. Dorn Foundation designated for the Sandusky Neighborhood Initiative, \$9,872.00 will be paid with funds donated from the Mylander Foundation, \$4,000.00 will be paid with Friends of the Sandusky Greenhouse Funds donated from the Michelle Wightman and Karrie Wieber Charitable Foundation, and the change order amount of \$14,498.81 will be paid with Capital Project 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 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 and Division of Recreation, 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 2023 Jaycee and Washinton Park Concrete Project in an amount **not to exceed** Fourteen Thousand Four Hundred Ninety-Eight and 81/100 Dollars (\$14,498.81) resulting in the final contract cost of Fifty-Eight Thousand Five Hundred Forty-Seven and 01/100 Dollars (\$58,547.01) with RMH Concrete & Fondations, Inc. of Collins, 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: January 8, 2024