

## ORDINANCE NO. 24-023

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY ERIE BLACKTOP, INC. OF SANDUSKY, OHIO, FOR THE 2023 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 2022, 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 2023 Community Development Block Grant (CDBG) Rehabilitation Project involves the resurfacing of the ten (10) worst “qualifying” asphalt street segments in the City, based upon Staff observations and feedback, complaints received, other planned work, and the updated TransMap survey, and will address sections of roadway on Baltimore, Decatur, Neil, Scott, and West Madison Streets and also includes Alternate Bid C which includes another section of roadway on Scott Street; and

**WHEREAS**, the City Commission declared the necessity to proceed with the 2023 Community Development Block Grant (CDBG) Rehabilitation Project by Resolution No. 024-23R, passed on May 22, 2023; and

**WHEREAS**, the City Commission approved the awarding of the contract to Erie Blacktop Inc. of Sandusky, Ohio, for 2023 Community Development Block Grant (CDBG) Rehabilitation Project by Ordinance No. 23-147, passed on July 10, 2023; and

**WHEREAS**, this First & Final Change Order reflects the actual work performed and the actual quantities used in the field by the contractor as well as not using the contingency allowance; and

**WHEREAS**, the original contract with Erie Blacktop, Inc. of Sandusky, Ohio, was \$263,211.15, and with the **deduction** of this First & Final Change Order in the amount of \$65,331.86, the final contract cost is \$197,879.29 and 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 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,

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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 Community Development Block Grant (CDBG) Rehabilitation Project, and to **deduct** from the contract amount the sum of Sixty-Five Thousand three Hundred Thirty-One and 86/100 Dollars (\$65,331.86) resulting in the final contract cost of One Hundred Ninety-Seven Thousand Eight Hundred Seventy-Nine and 29/100 Dollars (\$197,879.29) with Erie Blacktop, Inc. of Sandusky, 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:

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CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: February 12, 2024