

ORDINANCE NO. 24-056

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY ALL PHASE POWER AND LIGHTING, INC. OF SANDUSKY, OHIO, FOR THE COLUMBUS AVENUE LIFT STATION IMPROVEMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Columbus Avenue Lift Station will provide for the replacement of the existing generator, complete electrical upgrades, installation of two (2) variable frequency drives (VFD) for the existing two pumps along with SCADA upgrades for control and monitoring of the lift station sewer pumps and wet well levels and the project will also include extension of the City owned fiber from the Sandusky Transit System operations located at the Amtrak Station on North Depot Street to the Columbus Avenue Lift Station building; and

WHEREAS, the City Commission declared the necessity to proceed with the proposed Columbus Avenue Lift Station Improvement Project by Resolution No. 040-21R, passed on September 27, 2021; and

WHEREAS, the City Commission approved the awarding of the contract to ALL PHASE Power and Lighting, Inc. of Sandusky, Ohio, for work to be performed for the Columbus Avenue Lift Station Improvement Project by Ordinance No. 21-178, passed on November 8, 2021; and

WHEREAS, this First & Final Change Order reflects a reduced scope due to repairs made by Norfolk Southern as a result of the train derailment in October 2022, which have now been completed, and additional items requested by the City relating to the pumps such as disconnect switches and wiring for leak detection, temperature sensors, and SCADA controls and includes an extension of the completion date from December 16, 2022, to January 31, 2024; and

WHEREAS, the original contract with ALL PHASE Power and Lighting, Inc. of Sandusky, Ohio, was \$312,895.00, and with the **deduction** of this First & Final Change Order in the amount of \$50,876.74, the final contract cost is \$262,018.26 and will be paid with Sewer 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 Columbus Avenue Lift Station Improvement Project and to **deduct** from the contract amount the sum of Fifty Thousand Eighty Hundred Seventy-Six and 74/100 Dollars (\$50,876.74) resulting in the final contract cost of Two Hundred Sixty-Two Thousand Eighteen and 26/100 Dollars (\$262,018.26) with ALL PHASE Power and Lighting, Inc. of Sandusky, Ohio, and to extend the completion date from December 16, 2022, to January 31, 2024.

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: March 11, 2024