

**ORDINANCE NO. 24-077**

**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 2022 BIG ISLAND WATER WORKS (BIWW) PLANT VARIABLE FREQUENCY DRIVES REPLACEMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, BIWW and Engineering Staff had been working on a proactive project to replace the variable frequency drives (VFD's) at the BIWW Plant that control several high and low service pumps and are used to allow the pumps to throttle up and down slowly to reduce the possibility of water hammer, which is a main reason that pumps or pipes burst; and

**WHEREAS**, the 2022 Big Island Water Works Plant Variable Frequency Drives Replacement Project involved the replacement of five (5) VFDs of which four (4) were installed in 2005 and one (1) in 1999, and included installation; and

**WHEREAS**, the City Commission declared the necessity for the City to proceed with the 2022 Big Island Water Works Plant Variable Frequency Drives Replacement Project by Resolution No. 015-22R, passed on February 14, 2022; and

**WHEREAS**, the City Commission approved the awarding of the contract to ALL PHASE Power and Lighting, Inc. of Sandusky, Ohio, for the 2022 Big Island Water Works Plant Variable Frequency Drives Replacement Project by Ordinance No. 22-090, passed on May 9, 2022; and

**WHEREAS**, this First & Final Change Order reflects the actual labor and material costs of the project and the unused contingency amount; and

**WHEREAS**, the original contract with ALL PHASE Power and Lighting, Inc. of Sandusky, Ohio, was \$271,920.00, and with the **deduction** of this First & Final Change Order in the amount of \$50,000.00, the final contract cost is \$221,920.00 and the savings will remain in the Water 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 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:

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Section 1. The City Manager is hereby authorized and directed to approve this First & Final Change Order for work performed for the 2022 Big Island Water Works Plant Variable Frequency Drives Replacement Project and to **deduct** from the contract amount the sum of Fifty Thousand and 00/100 Dollars (\$50,000.00) resulting in the final contract cost of Two Hundred Twenty-One Thousand Nine Hundred Twenty and 00/100 Dollars (\$221,920.00) with ALL PHASE Power and Lighting, 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: April 9, 2024