

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 21-85

INTRODUCED BY: Mayor Antoskiewicz

AN ORDINANCE GRANTING THE MAYOR AND FINANCE DIRECTOR AUTHORITY TO AGREE TO AND APPROVE CERTAIN CONTRACT CHANGES (CHANGE ORDER #1) RELATING TO THE WORK BEING PERFORMED BY SET IN STONE CONTRACTING, LLC, FOR THE 2021 CITY OF NORTH ROYALTON ROAD MAINTENANCE PROGRAM, AND DECLARING AN EMERGENCY

WHEREAS: A contract for, in part, the removal and replacement of 8” concrete slabs was executed by and between the City of North Royalton and Set In Stone Contracting, LLC for the 2021 City of North Royalton Road Program pursuant to Ordinance 21-59; and

WHEREAS: It has become necessary to amend the contract due to the discovery of previously unknown and unforeseen underground conditions, to wit: specifically, the discovery of an earlier concrete roadway of an additional 4” to 8” varying depth existing below the entire length and width of the intended area of pavement replacement of Royal Valley Drive, Ridgeline Drive, Princeton Drive, Scottsdale Drive and Vale Drive which is the subject of the removal and replacement undertaken by the contractor; and

WHEREAS: In order to perform the task and scope of the work that the parties both intended, it is necessary that the additional concrete below the 8” roadway be entirely broken, loaded into suitable trucks, hauled and dumped as refuse, and that sufficient additional stone base be purchased, delivered, placed and compacted to properly prepare the site for the new concrete to be poured; and

WHEREAS: The labor and materials necessary to complete the newly discovered additional work are as contained in the proposed Change Order #1 attached hereto as Exhibit A with a “Not to exceed” price of \$93,000.00 subject to verification of concrete removed and dumped and stone of proper size and volume purchased, placed, and properly compacted; and

WHEREAS: Council desires to amend the scope of work pursuant to said contract and thereby adjust the contract price by an additional sum not to exceed \$93,000.00 in accordance with Change Order #1 which has been recommended by the Service Director.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Mayor and the Finance Director, on behalf of the City of North Royalton, are hereby authorized to execute the contract changes relating to the work performed by Set In Stone Contracting, LLC., for the 2021 City of North Royalton Road Program as described in Exhibit A, Change Order#1.

Section 2. The total cost of the additional labor and materials shall not exceed \$93,000.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and further in order to secure the continued employment of the contractor on site, avoid the costs of remobilization and continue the necessary work and to assure that all changes to this contract are properly recorded to ensure accurate record keeping for this project.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Paul F. Marnecheck
PRESIDENT OF COUNCIL

APPROVED: /s/ Larry Antoskiewicz
MAYOR

DATE PASSED: May 10, 2021

DATE APPROVED: May 10, 2021

ATTEST: /s/ Dana A. Schroeder
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading May 10, 2021

YEAS: Marnecheck, Fenos, Barath, Krejci
Weimer, Vos

NAYS: none

ABSENT: Dietrich