

City of Willoughby Hills

ORDINANCE NO. 2016-59

AN ORDINANCE APPROVING CHANGE ORDER NO. 1 INCREASING THE CONTRACT AMOUNT FOR THE WORRELL ROAD RESURFACING PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, the Council of the City of Willoughby Hills on July 14, 2016 by motion, granted the Mayor authorization to advertise for bids for the Worrell Road Resurfacing Project; and

WHEREAS, Specialized Construction was the only contractor that submitted a bid by the August 23, 2016 deadline; and

WHEREAS, the bid of \$103,370 received from Specialized Construction was under the Engineer's Opinion of Probable Construction Cost of \$105,420; and

WHEREAS, the Council of the City of Willoughby Hills reviewed and accepted the recommendations as provided by the City Engineer Pietro DiFranco, in his Memorandum of August 24, 2016, which found the bid of \$103,370 as submitted by Specialized Construction, Inc. of Cuyahoga Heights, Ohio to be the lowest and best bid in conformance with all contract requirements; and

WHEREAS, Ordinance No. 2016-43 adopted by Council on September 8, 2016 authorized and directed the Mayor to enter into a contract with Specialized Construction, Inc. OF 711 Harvard Avenue, Cuyahoga Heights, Ohio for the Worrell Road Resurfacing Project (WH Project #2016-001) at a total cost not to exceed \$103,370; and

WHEREAS, on November 1, 2016 **Change Order No. 1 – for the Worrell Road Resurfacing Project** in the amount of \$710.50 was submitted by the City Engineer to cover the additional cost of tack coat between intermediate and surface courses of asphalt as the actual quantity for the material had exceeded the original estimated amount by 203 gallons.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. **Change Order No. 1** for the Worrell Road Resurfacing Project with Specialized Construction, Inc. of 711 Harvard Avenue, Cuyahoga Heights, Ohio, in the amount of \$710.50 for the additional cost of tack coat between intermediate and surface courses of asphalt as the actual quantity for the material had exceeded the original estimate amount by 203 gallons, identified as ***LINE ITEM NO. 3*** in the Change Order No. 1, dated November 1, 2016, attached hereto as the **“Exhibit A”**, consisting of 1 page and incorporated herein by reference is hereby approved in accordance with the recommendation of the City Engineer and to that extent, said Contract is hereby amended.

SECTION 2. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 3. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills insofar as it provides for the usual daily operation of the municipality and further provides that the city will continue working in good faith with Specialized Construction, Inc. and to ensure that immediate payment be made to said contractor; wherefore, this ordinance shall be in full force and take effect from and after its adoption and approval by the Mayor.

PASSED: November 10, 2016

Nancy E. Fellows
Nancy E. Fellows
President of Council

Submitted to the Mayor for his approval
on this 10 day of November, 2016

Approved by the Mayor
November 10, 2016

ATTEST: Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Robert M. Weger
Robert M. Weger
Mayor