

## City of Oberlin, Ohio

### ORDINANCE No. 12-01 AC CMS

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH R.W. CLARK COMPANY, INC. OF CLEVELAND, OHIO, FOR THE GASHOLDER BUILDING RENOVATION, PHASE I EXTERIOR IMPROVEMENTS, IN THE CITY OF OBERLIN AND DECLARING AN EMERGENCY

WHEREAS, by Ordinance 11-71 City Council awarded a contract to R.W. Clark Company, Inc. of Cleveland, Ohio, for the Gasholder Building Renovation, Phase I Exterior Improvements, in the City of Oberlin in the amount of \$377,100; and

WHEREAS, said contract specifies an interim completion date of January 2, 2012 and, as a result of the installation requirements for the synthetic slate shingles, it is now necessary to extend said interim completion date.

NOW, THEREFORE BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the contract between the City of Oberlin and the R.W. Clark Company, Inc. of Cleveland, Ohio, for the Gasholder Building Renovation, Phase I Exterior Improvements, is hereby amended to extend the interim completion date to April 30, 2012, and the City Manager is hereby authorized and directed to execute an amendment to said contract authorizing said extension.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, or to provide for the usual daily operation of a municipal department, to wit:

"to allow for timely contract extension of a project under construction" and shall take effect immediately upon passage.

PASSED: 1st Reading - January 17, 2012 (S, E)  
2nd Reading -  
3rd Reading -

ATTEST:



BELINDA B. ANDERSON, CMC  
CLERK OF COUNCIL

POSTED: 01/18/2012



RONNIE J. RIMBERT  
PRESIDENT OF COUNCIL

EFFECTIVE DATE: 01/17/2012

01-23-12A10:34 RCVD

**CHANGE ORDER**

NUMBER: 1

OWNER: City of Oberlin

PROJECT: Gasholder Building Renovation Phase 1 – Exterior Restoration

QCI PROJECT No: 136-11-7617

DATE: December 8, 2011

CONTRACTOR: R. W. Clark Company, Inc.

CONTRACT FOR: ODOT LPA PID 75844

ORIGINAL CONTRACT COMPLETION TIME (CALENDAR DAYS) / DATE INTERIM 60 DAYS - JANUARY 2,  
2012 / FINAL 225 DAYS - JUNE 14, 2012

ORIGINAL CONTRACT AMOUNT: \$377,100.00

CHANGE ORDER # (1) \$0.00

CHANGE ORDER # ( ) N/A

CHANGE ORDER # ( ) N/A

CONTRACT AMOUNT PRIOR TO THIS CHANGE ORDER \$377,100.00

THIS CHANGE ORDER, WHICH REPRESENTS A REVISION TO THE ABOVE "APPROVED" CONTRACT DOCUMENTS, CONSTITUTES AUTHORITY TO PROCEED WITH SAID REVISION, AS DESCRIBED BELOW:

**NATURE AND JUSTIFICATION OF CHANGES:**

The purpose of the Non-Compensable Contract Time Extension Agreement, which is attached hereto as Attachment No. 1 and is made a part hereof by reference, is to provide additional time for the contractor to complete the roof work, which is an interim completion date. The roof work is weather sensitive and can not be performed in the winter months.

**Total Amount of Change Order = \$ 000.00**


(Attach all detail to change order)

THIS CHANGE RESULTS IN THE FOLLOWING ADJUSTMENTS OF THE CONTRACT PRICE AND/OR CONTRACT COMPLETION TIME:


Contract price prior to this Change Order:	<u>\$377,100.00</u>
Net cost change (decrease) resulting from this Change Order:	<u>\$0.00</u>
Current contract price including this Change Order:	<u>\$377,100.00</u>
Contract completion time/date prior to this Change Order:	<u>Interim 60 Calendar Days 01/02/12</u> <u>Final 225 Calendar Days 06/14/12</u>
Net In/Decrease resulting from this Change Order:	<u>Interim add 121 days Final no change</u>
Current contract time/date including this Change Order:	<u>Interim 181 Calendar Days 04/30/12</u> <u>Final 225 Calendar Days 06/14/12</u>

THE TERMS OF THIS CHANGE ORDER SHALL NOT AFFECT ANY OF THE TERMS OF THE CONTRACT, EXCEPT AS EXPRESSLY STATED HEREIN. FURTHER, THE CONTRACTOR AGREES THAT THE CONSIDERATION FOR THE CHANGE ORDER AS CONTAINED HEREIN IS THE FULL AMOUNT THE CONTRACTOR SHALL BE ENTITLED AND THAT NO ADDITIONAL TIME IS NECESSARY TO COMPLETE THIS CONTRACT.

The above changes are approved:  
CITY OF OBERLIN

By:  Date: 1-19-2012  
JEFF BAUMANN, PUBLIC WORKS DIRECTOR

The above changes are approved:  
CITY OF OBERLIN

By:  Date: 1/22/12  
ERIC NORENBERG, CITY MANAGER

The above changes are accepted:  
R. W. CLARK COMPANY, INC.

By:  Date: 12/19/11  
PRESIDENT, R. W. CLARK COMPANY

Above changes recommended by:  
QUALITY CONTROL INSPECTION, INC.

By:  Date: 12/19/11  
MARGARET A. ROBINSON, P.E. CONSTRUCTION PROJECT ENGINEER

