

CITY OF OBERLIN, OHIO

ORDINANCE No. 16 - 32 AC CMS

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH DON MOULD'S PLANTATION, INC. OF NORTH RIDGEVILLE, OHIO, FOR THE OBERLIN GASHOLDER PHASE IIA – SITE DEVELOPMENT PROJECT AND DECLARING AN EMERGENCY

WHEREAS, by Ordinance 16-09 AC CMS Oberlin City Council awarded a contract to Don Mould's Plantation, Inc. of North Ridgeville, Ohio for the Oberlin Gasholder Phase IIA – Site Development Project in the amount of \$242,126.00; and

WHEREAS, by Ordinance No. 16-27 AC CMS Oberlin City Council amended said contract with Don Mould's Plantation, Inc. to increase the contract price by \$36,195.53 to accommodate necessary and additional work that could not have been foreseen prior to commencement of the work; and

WHEREAS, during the course of the work, it has been discovered by the Public Works Department that additional work is necessary to properly complete the project, the necessity for such additional work could not have been foreseen prior to commencement of work on the project, and that the cost of such additional work will not exceed \$8,995.00.

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 Don Mould's Plantation, Inc. of North Ridgeville, Ohio as approved by Ordinance 16-09 and amended by Ordinance No. 16-27 AC CMS for the Oberlin Gasholder Phase IIA – Site Development Project in the City of Oberlin, is hereby amended to authorize additional payment up to but not to exceed \$8,995.00 to Don Mould's Plantation, Inc. for additional necessary work, and the Interim City Manager is hereby authorized and directed to execute an amendment to said contract authorizing said additional payment.

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 direction to the contractor and payment for work in process" and shall take effect immediately upon passage.

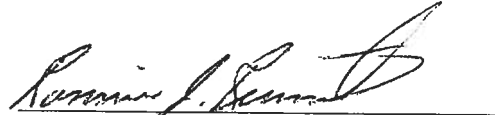
PASSED: 1st Reading: September 19, 2016 (E)

2nd Reading: _____

3rd Reading: _____

ATTEST:


BELINDA B. ANDERSON, MMC
CLERK OF COUNCIL


RONNIE J. RIMBERT
PRESIDENT OF COUNCIL

POSTED: 09/19/2016

EFFECTIVE DATE: 09/19/2016

AIA Document G701™ – 2001

Change Order

PROJECT (Name and address): Oberlin Gasholder Building Phase IIA Site Development	CHANGE ORDER NUMBER: 002 DATE: September 13, 2016	OWNER: <input checked="" type="checkbox"/> ARCHITECT: <input checked="" type="checkbox"/> CONTRACTOR: <input checked="" type="checkbox"/> FIELD: <input type="checkbox"/> OTHER: <input type="checkbox"/>
TO CONTRACTOR (Name and address): Don Mould's Plantation 9499 Island Road North Ridgeville, Ohio 44039	ARCHITECT'S PROJECT NUMBER: R12430.01 CONTRACT DATE: May 18, 2016 CONTRACT FOR: General Construction	

THE CONTRACT IS CHANGED AS FOLLOWS:

(Include, where applicable, any undisputed amount attributable to previously executed Construction Change Directives)
Item 2.1 Replace (one (1) each) +/- 63 sq. ft. of concrete at Gasholder Building. Provide and install 6 inch tile system to pick up two existing downspouts on Gasholder Building and a curb drain on the east side of the north/south sidewalk, tying into retention basin "B", approx. 236 LF. Provide and install washed river rock at outlet. = Add \$3,538.00


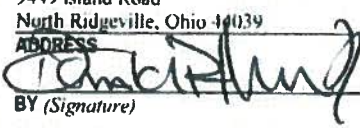


Item 2.2 Remove and properly dispose of excavated soils and select sidewalk sections. Provide and install approx. 35 tons of #304 limestone, complete with proper compaction for sidewalk and paver installation. Provide all labor and materials to achieve 813 ft. finish elevation of north/south sidewalk. This includes finish grading, seeding of disturbed areas and clean up. – Add \$5,457.00

The original Contract Sum was	\$ 242,126.00
The net change by previously authorized Change Orders	\$ 36,195.53
The Contract Sum prior to this Change Order was	\$ 278,321.53
The Contract Sum will be increased by this Change Order in the amount of	\$ 8,995.00
The new Contract Sum including this Change Order will be	\$ 287,316.53

The Contract Time will be increased by Zero (0) days.
The date of Substantial Completion as of the date of this Change Order therefore is unchanged.

NOTE: This Change Order does not include changes in the Contract Sum, Contract Time or Guaranteed Maximum Price which have been authorized by Construction Change Directive until the cost and time have been agreed upon by both the Owner and Contractor, in which case a Change Order is executed to supersede the Construction Change Directive.

NOT VALID UNTIL SIGNED BY THE ARCHITECT, CONTRACTOR AND OWNER.

<u>Moody Nolan, Inc.</u> ARCHITECT (Firm name)	<u>Don Mould's Plantation</u> CONTRACTOR (Firm name)	<u>City of Oberlin</u> OWNER (Firm name)
<u>4415 Euclid Avenue, Suite 100</u> <u>Cleveland, Ohio 44013</u> ADDRESS	<u>9449 Island Road</u> <u>North Ridgeville, Ohio 44039</u> ADDRESS	<u>85 South Main Street</u> <u>Oberlin, Ohio 44074</u> ADDRESS
 BY (Signature)	 BY (Signature)	 BY (Signature)
<u>Anne Hartman</u> (Typed name)	<u>Donald Mould</u> (Typed name)	<u>I. Salvatore Talarico</u> (Typed name)
<u>9.26.16</u> DATE	<u>9/26/16</u> DATE	 DATE