

**ORDINANCE NO. 2020-6
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1
WITH SPECIALIZED CONSTRUCTION INC., FOR THE
2019 ASPHALT PROGRAM, AUTHORIZING THE
CLOSEOUT OF SAID CONTRACT AND DECLARING AN
EMERGENCY**

WHEREAS, the City has previously entered into a Contract with Specialized Construction Inc., for the 2019 Asphalt Program; and

WHEREAS, Specialized Construction Inc., has successfully completed the Contract; and,

WHEREAS, it is necessary to enter into a Change Order as set forth herein in order to initiate and complete the close out procedure. Now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDBURST,
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

SECTION 1. The Mayor be and he is hereby authorized to enter into a Change Order Contract with Specialized Construction Inc., for the credit amount of Nine Thousand Three Hundred Ninety-Nine and 77/100 Dollars (\$9,399.77), in addition to the Contract heretofore authorized by the Board of Control of this Council, as and for final reconciliation of Contract quantities of said Contract, all as more fully set forth in Change Order No. 1 dated January 7, 2020, which is fully incorporated herein. The City Engineer has approved the aforesaid Change Order.

SECTION 2. The Director of Finance be and is hereby authorized and directed to credit the amount provided for in Section 1 of this Ordinance upon passage hereof and execution of the Change Order authorized herein and completion of the work.

SECTION 3. This Council determines that the work included in the Contract with Specialized Construction, Inc., has been completed, and the Contract may be closed out, and the retainage released, pursuant to the application and certificate for final payment, the final Contract price, including additions and deletions, being Nine Hundred Forty-Seven Thousand Four Hundred Seventy-Five Dollars and 18/100 (\$947,475.18). This final payment amount has been approved by the City Engineer.

SECTION 4. The Mayor be and he is hereby authorized to execute all documents necessary to complete the closeout of this Contract in accordance with this Ordinance.

SECTION 5. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Lyndhurst and its residents for the reason that it is necessary to approve the aforesaid changes so as to not unnecessarily delay the completion of the aforesaid Project. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: _____

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City on _____ and _____.

Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

Proposed

**ORDINANCE NO. 2020-7
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 11 WITH GREENSPACE CONSTRUCTION SERVICES (GCS) FOR THE FIRE DEPARTMENT EXPANSION AND RENOVATION PROJECT, AND DECLARING AN EMERGENCY

WHEREAS, Resolution No. 2018-11, adopted by the Council of the City on February 19, 2018, authorized the Mayor to negotiate and enter into an Agreement with Greenspace Construction Services, Inc. to provide construction manager at risk services in connection with the Fire Station Expansion and Renovation Project; and

WHEREAS, Resolution No. 2019-38, adopted by the Council of the City on May 6, 2019, authorized the Mayor to amend the Agreement by accepting the guaranteed maximum price; and

WHEREAS, after the contract work was commenced GCS has recommended the relocation of all second-floor air ducts to the above ceiling attic space; and

WHEREAS, the relocation of the air ducts is outside of and in addition to the scope of work previously priced and bid; and

WHEREAS, it is necessary to enter into a Change Order to allow for the relocation of all second-floor air ducts. Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDBURST, CUYAHOGA COUNTY, STATE OF OHIO, THAT:

SECTION 1. The Mayor be and he is hereby authorized to enter into a Change Order Contract with Greenspace Construction Services, Inc. to relocate all of second floor air ducts for the additional amount not to exceed Fourteen Thousand and Twenty-Seven Dollars and Three Cents (\$14,027.03), in addition to the Contract heretofore authorized by this Council which is fully incorporated herein, The Construction Manager has approved the aforesaid Change Order.

SECTION 2. The Director of Finance be and is hereby authorized and directed to pay the amount provided for in Section 1 of this Ordinance upon passage hereof and execution of the Change Order authorized herein and completion of the work.

SECTION 3. The Mayor be and he is hereby authorized to execute all documents necessary to facilitate the abatement work identified in this Change Order.

SECTION 4. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Lyndhurst and its residents for the reason that it is necessary to approve the aforesaid changes so as to not unnecessarily delay the completion of the aforesaid Project. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: _____

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City on _____ and _____.

Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

Proposed