

ORDINANCE NO. 01-64 AC CMS

AN ORDINANCE AUTHORIZING CHANGE ORDERS TO THE CONTRACT WITH NORTH BAY CONSTRUCTION, INC., FOR IMPROVEMENTS TO THE OBERLIN WATER ENVIRONMENT PROTECTION FACILITY

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 City Manager is hereby authorized and directed to authorize additional work and extend the contract completion date as reflected on the attached change order schedule, pursuant to the contract with North Bay Construction, Inc., for improvements to the Oberlin Water Protection Facility in the amount of \$43,989.46 and the dates in accordance with change orders two through five attached hereto and incorporated herein by reference.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or related 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, safety, and welfare of the citizens of Oberlin, Ohio, to wit:

"to authorize necessary additional work which was discovered during construction and to provide for the usual daily operation of a municipal department", and shall take effect immediately upon passage.

PASSED: 1st Reading - July 2, 2001 (E)
2nd Reading -
3rd Reading -

ATTEST:

Kelly J. da Rosa
CLERK OF COUNCIL

Thomas M. Branson
CHAIR OF COUNCIL

POSTED: July 3, 2001

EFFECTIVE DATE: July 3, 2001

City of
Oberlin

85 South Main Street, Oberlin, Ohio 44074
(440) 775-1531

June 29, 2001

MEMO

To: **City Council**
Robert DiSpirito, City Manager

From: **Bill Kelso, Public Works Director** *Bill Kelso*

Re: **Water Environment Protection Facility Improvement Project:**
Change Orders No.'s 2 - 5 (North Bay Construction, Inc.) and
Change Order No. 3 (Lake Erie Electric, Inc.)

I request approval of **Change Orders Numbers 2 through 5** to the contract with **North Bay Construction, Inc.** (mechanical contractor) of Westlake, Ohio, in the total amount of **\$43,989.46** and **Change Order Number 3** to the contract with **Lake Erie Electric, Inc.** (electrical contractor) of Westlake, Ohio for the Water Environment Protection Facility Improvement Project in the amount of **\$20,470.75**, and an extension of the project completion date as referenced in the change order schedule.

The purpose of the additional cost is for mechanical and electrical work listed in each attached change order and to improve upon the original project design.

To date, the Water Environment Protection Facility Improvement Project is at approximately ninety percent completion. The City's objective remains the same: to acquire a "quality product."

I seek your support for the Change Orders and I ask that the Ordinance be passed on First Reading and Emergency to meet construction needs.

Thank you.

cc: **Eric Severs, City Solicitor**
Maria Wossilek, WWTP Superintendent
Keith Johnson, City Engineer
Salvatore Talarico, City Auditor
Karen Smith, Finance Assistant

"Ohio's Best College Town"

—OHIO Magazine

PURCHASE ORDER



City of Oberlin Ohio

69 South Main Street

Oberlin, Ohio 44074

Ph. (440) 775-7212 Fax (440) 776-2090

P.O. NUMBER

RR010901

REQ. NO.

P.O. DATE

07/19/01

SHIP VIA

TERMS

NET 30 DAYS

DELIVER TO:

CITY OF OBERLIN
65 S. MAIN ST.
OBERLIN OH 44074

TO:

NORTH BAY CONSTRUCTION
25800 FIRST STREET
WESTLAKE, OH 44145

ACCOUNT NUMBER	AMOUNT
622.8102.54033	\$43,989.46

THE ABOVE PURCHASE ORDER NUMBERS MUST APPEAR ON ALL BILLS AND PACKAGES.
Material on this order is exempted from the Ohio Sales Tax and Federal Excise Taxes

QUANTITY	UNIT	DESCRIPTION	PRICE/UNIT	AMOUNT
		CHANGE ORDERS 2-5 WASTEWATER PLANT IMPROVEMENT PROJECT PER ORDINANCE 01-64		\$43,989.46
TOTAL				\$43,989.46

CERTIFICATE

It is hereby certified that the amount required to meet the contract, agreement, obligation, payment, or expenditure for the above has been lawfully appropriated or authorized or directed for such purpose and is in the treasury or in process of collection to the credit of the fund free from any obligation or certification now outstanding.

EXCISE OR SALES TAX DO NOT APPLY TO CITY PURCHASES.

RECEIVED

Qty. Verified _____

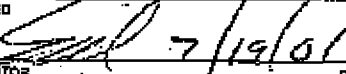
Date _____

OK'd by _____

INSTRUCTIONS TO VENDORS

THIS ORDER IS NOT VALID UNLESS SIGNED BY THE AUDITOR FOR AVAILABILITY OF FUNDS.
SEND INVOICES IN DUPLICATE TO THE FINANCE OFFICE: 65 S. MAIN ST., OBERLIN, OH, 44074
NO CHANGE MAY BE MADE IN THIS ORDER WITHOUT WRITTEN CONSENT OF THE AUDITOR.

CITY FEDERAL I.D. # 34-6002073

APPROVED  7/19/01
CITY AUDITOR DATE

DEPT.

CHANGE ORDER

No. 2

PROJECT: City of Oberlin, General Trades Improvement

DATE OF ISSUANCE:	October 17, 2000	EFFECTIVE DATE:	May 2, 2000 this is the date this contract commences
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OWNER:	City of Oberlin	Owner's CONTRACT NO.	96 - 1
CONTRACTOR	North Bay Construction, Inc. 25800 First Street Westlake, Ohio	ENGINEER:	GGJ, Inc. 5000 E. 345 th St. Willoughby, OH 44094

You are directed to make the following changes in the Contract Documents:

Description

See Description Attached

Reason for change Order: See Description Attached.

Attachments: See Enclosed

CHANGE IN CONTRACT PRICE:

CHANGE IN CONTRACT TIMES:

Original Contract Price:

Original Contract Times: 450 (days or dates)

\$ 1,395,900.00

Substantial Completion:	450
Ready for Final Payment:	30 days after Substantial Completion

Net changes from previous Change Orders No. 0 to No. 1

Net changes from previous Change Orders No. - to No. -

+ 42,200.52

None

Contract Price prior to this Change Order:

Contract Times prior to this Change Order:

\$ 1,438,100.82

Substantial Completion:	450
Ready for Final Payment:	30 days after Substantial Completion

Net Decrease of this Change Order:

Net Increase (Decrease) of this Change Order: (days)

- \$ 24,587.83

None

Contract Price with all approved Change Orders:

Contract Times with all approved Change Orders:

\$ 1,413,512.69

Substantial Completion: <i>Days or dates</i>	450
Ready for final payment: <i>Days or dates</i>	30 days after Substantial Completion

RECOMMENDED:

APPROVED:

ACCEPTED:

By: *William K. Boylston*
GGJ, Inc.

By: *Marie Wostitek*
City of Oberlin, Marie Wostitek

By: *James M. ...*
North Bay Construction, Inc.

Date: 10-16-00

Date:

Date: 10-19-00

CHANGE ORDER

No. 3

PROJECT: City of Oberlin, General Trades Improvement

DATE OF ISSUANCE:	October 30, 2000	EFFECTIVE DATE:	May 2, 2000 this is the date this contract commences
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OWNER:	City of Oberlin	Owner's CONTRACT NO.	96 - 1
CONTRACTOR	North Bay Construction, Inc. 25800 First Street Westlake, Ohio	ENGINEER:	GGJ, Inc. 5000 E. 345 th St. Willoughby, OH 44094

You are directed to make the following changes in the Contract Documents:

Description: Non Performance of Allowance Item - Amount \$ 7,500.00

Reason for change Order: Non-Performance

Attachments: See Enclosed

CHANGE IN CONTRACT PRICE:	CHANGE IN CONTRACT TIMES:
Original Contract Price:	Original Contract Times: 450 (days or dates)
\$ 1,395,900.00	Substantial Completion: 450 July 26, 2001
	Ready for Final Payment: 30 days after Substantial Completion
Net changes from previous Change Orders No. 1- to No. 2	Net changes from previous Change Orders No. 1- to No. 2
+ \$ 17,612.69	None
Contract Price prior to this Change Order:	Contract Times prior to this Change Order:
\$ 1,413,512.69	Substantial Completion: 450 July 26, 2001
	Ready for Final Payment: 30 days after Substantial Completion
Net Decrease of this Change Order:	Net Increase (Decrease) of this Change Order: (days)
- \$ 7,500.00	None
Contract Price with all approved Change Orders:	Contract Times with all approved Change Orders:
\$ 1,406,012.69	Substantial Completion: 450 Days or dates July 26, 2001
	Ready for final payment: 30 days after Substantial Completion Days or dates

RECOMMENDED:	APPROVED:	ACCEPTED:
<i>William B. Hoff</i> GGJ, Inc.	By: <i>Marie Wossitek</i> City of Oberlin, Marie Wossitek	By: <i>James J. Marra</i> North Bay Construction, Inc.
Date: 1/10/01	Date:	Date: 10/20/00

CHANGE ORDER

No. 4

PROJECT: City of Oberlin, General Trades Improvement			
DATE OF ISSUANCE:	November 30, 2000	EFFECTIVE DATE:	May 2, 2000 this is the date this contract commences
OWNER:	City of Oberlin	Owner's CONTRACT NO.	96-1
CONTRACTOR	North Bay Construction, Inc. 25800 First Street Westlake, Ohio	ENGINEER:	GGJ, Inc. 5000 E. 345 th St. Willoughby, OH 44094

You are directed to make the following changes in the Contract Documents:

Description: To furnish and install new 45 mil. Hypalon liner with geonet composite beneath liner
NO HANDLING OF MATS OR ITEMS INCLUDED. JJC 12/20/00

Reason for change Order: Failure of existing equalization basin bottom liner

Attachments: See Enclosed

CHANGE IN CONTRACT PRICE:		CHANGE IN CONTRACT TIMES:	
Original Contract Price:	\$ 1,395,900.00	Original Contract Times: 450 (days or dates)	
		Substantial Completion:	450 July 26, 2001
		Ready for Final Payment:	30 days after Substantial Completion
Net changes from previous Change Orders No. <u>1</u> to No. <u>3</u>	+ \$ 10,112.69	Net changes from previous Change Orders No. <u>1</u> to No. <u>3</u>	None
Contract Price prior to this Change Order:	\$ 1,406,012.69	Contract Times prior to this Change Order:	
		Substantial Completion:	450 July 26, 2001
		Ready for Final Payment:	30 days after Substantial Completion
Net increase of this Change Order:	+ \$ 41,817.00	Net Increase (Decrease) of this Change Order: (days)	None
Contract Price with all approved Change Orders:	\$ 1,447,829.69	Contract Times with all approved Change Orders:	
		Substantial Completion: (Days or dates)	450 July 26, 2001
		Ready for final payment: (Days or dates)	30 days after Substantial Completion

RECOMMENDED:	APPROVED:	ACCEPTED:
By: <i>William H. Kraft</i> J.E. GGJ, Inc.	By: <i>Bob K...</i> City of Oberlin, Marie Woszek	By: <i>James J. ...</i> North Bay Construction, Inc.
Date: 11-30-00	Date: 11/6/01	Date: 12/20/00

CONTRACT CHANGE ORDER

Change Order No. 5
Project: Water Environment Protection Facility
Date of Issuance: July 3, 2001 Effective Date: _____
Owner: City of Oberlin, Ohio
Owner's Contract Designation: Contract 96-1: General Construction
Contractor: North Bay Construction, Inc.

The Contractor is hereby directed to make the following changes in the Contract Documents:
Description: Additions and Deletions from the Work in accord with the attached

Reason for Change Order: To improve upon the original design

Attachments: List of Items in Changes and the Cost Determination Respective to Each

CHANGE IN CONTRACT PRICE: Original Contract Price: <u>\$ 1,395,900.00</u>	CHANGE IN CONTRACT TIMES: Original Contract Times: Substantial Completion: _____ Completion: <u>July 26, 2001</u> Ready for Final Payment: _____ <i>dates</i>
Net Changes from Previous Change Orders No. <u>1</u> to No. <u>4</u> <u>\$ 51,929.69</u>	Net Changes from Previous Change Orders No. <u>1</u> to No. <u>4</u> Substantial Completion: _____ Completion: <u>July 26, 2001</u> Ready for Final Payment: _____ <i>days or dates</i>
Contract Price prior to this Change Order <u>\$ 1,447,829.69</u>	Contract Times prior to this Change Order Substantial Completion: _____ Completion: <u>July 26, 2001</u> Ready for Final Payment: _____ <i>days or dates</i>
Net increase (decrease) with this change order <u>\$ 34,260.29</u>	Net increase (decrease) with this change order Substantial Completion: <u>September 9, 2001</u> Completion: <u>September 24, 2001</u> Ready for Final Payment: <u>October 24, 2001</u> <i>days or dates</i>
Contract Price with all approved change orders <u>\$ 1,482,089.98</u>	Contract Times with all approved change orders Substantial Completion: <u>September 9, 2001</u> Completion: <u>September 24, 2001</u> Ready for Final Payment: <u>October 24, 2001</u> <i>days or dates</i>

All Changes in Contract Time are to be at no additional cost in the contract unless specifically stated in the above description, reason for change order or in an attachment hereto.

RECOMMENDED:	APPROVED:	ACCEPTED:
By: _____	By: _____	By: _____
Engineer (Authorized Signature)	City Manager (Authorized Signature)	Contractor (Authorized Signature)
Date: _____	Date: _____	Date: _____

STATE OF OHIO
WATER POLLUTION CONTROL LOAN FUND

RECIPIENT City of Oberlin, Ohio CHANGE ORDER NO. 5

LOAN NUMBER CS392181-01 CONTRACT 96-1

ENCUMBRANCE NUMBER 3293 DATE 6/13/02

Description of Change

This change order increased the scope of work of the above referenced Contract and warrants additional compensation to the Contractor - North Bay Construction, Inc. This Change Order 5 involved 18 items. Support documentation is attached.

RECOMMENDED BY:	<u>Edward J. McJannet / CEM</u> <small>(engineer)</small>	DATE: <u>6/14/02</u>
APPROVED BY:	<u>[Signature]</u> <small>(recipient)</small>	DATE: <u>6/28/02</u>
ACCEPTED BY:	<u>James J. [Signature]</u> <small>(contractor)</small> <u>NORTH BAY CONSTRUCTION, INC.</u> <small>(company)</small>	DATE: <u>6/17/02</u>

Original Contract Amount	<u>\$1,395,900.00</u>
Previous Change (+/-)	<u>\$33,298.73</u>
This Change (+/-)	<u>+\$34,260.29</u>
Adjusted Contract Amount	<u>\$1,463,459.02</u>

(FOR STATE USE ONLY)

The above proposal is hereby accepted and I recommend that it be approved and made a part of the contract covered by Encumbrance No. _____ dated _____

_____ dated _____

(FOR STATE USE ONLY)

OHIO EPA APPROVAL

DATE _____

(FOR STATE USE ONLY)

OWDA APPROVAL

DATE _____

Project:	Water Environment Protection Facility		
Date of Issuance:	July 3, 2001	(Last Change Order Listed Below)	
Owner:	City of Oberlin, Ohio		
Owner's Contract Designation:	Contract 96-1: General Construction		
Contractor:	North Bay Construction, Inc.		
Summary of Change Orders 1 - 5 Inclusive			
Original Amount of Contract		\$ 1,396,900.00	
Change Order Number	Change Order Amount	Total Contract Amount With Change Order Included	Authorized By Ordinance Number
1	\$ 42,200.52	\$ 1,438,100.52	00-79
2	\$ (24,587.83)	\$ 1,413,512.69	
3	\$ (7,500.00)	\$ 1,406,012.69	
4	\$ 41,817.00	\$ 1,447,829.69	
5	\$ 34,260.29	\$ 1,482,089.98	
Net Total C.O. 2 - 5	\$ 43,989.46		