

# THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 12-189

INTRODUCED BY: Mayor Stefanik, Kasaris

AN ORDINANCE GRANTING THE MAYOR AND FINANCE DIRECTOR AUTHORITY TO AGREE TO AND APPROVE CERTAIN CONTRACT CHANGES (CHANGE ORDER #3) RELATING TO THE WORK PERFORMED BY DIGIOIA SUBURBAN EXCAVATING, LLC., FOR THE CHESAPEAKE REGIONAL DETENTION BASIN PROJECT, AND DECLARING AN EMERGENCY

WHEREAS: A contract was executed by and between the City of North Royalton and Digioia Suburban Excavating, LLC., for the Chesapeake Regional Detention Basin Project; and

WHEREAS: It has become necessary to amend certain items of working construction due to various previously unforeseen change conditions; and

WHEREAS: Council desires to amend certain work provided pursuant to said contract thereby adjusting the amended contract price in accordance with Change Order #3 which has been recommended by the City Engineer.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Mayor and the Finance Director, on behalf of the City of North Royalton, are hereby authorized to approve the contract changes relating to the work performed by Digioia Suburban Excavating, LLC., for the Chesapeake Regional Detention Basin Project.

Section 2. The total cost of the amended items shall be \$1,836.90 for additional stone rip-rap material in excess of that authorized in Change Order #1 and a reduction for inspection fees in the amount of \$3351.00, for a new contract amount of \$178,607.36 as outlined in Exhibit A attached hereto and incorporated herein as if fully rewritten.

Section 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 4. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary that this Change Order be approved in order to assure that all changes to this contract are properly recorded to insure accurate record keeping for this project.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz  
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik  
MAYOR

DATE PASSED: December 18, 2012

DATE APPROVED: December 19, 2012

ATTEST: /s/ Laura J. Haller  
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended  
Second reading suspended  
Third reading December 18, 2012

YEAS: Antoskiewicz, Nickell, Petrusky, Willey  
Marnecheck, Muller, Kasaris

NAYS: none