

ORDINANCE NO. 141-2019

**TITLE: CHANGE ORDER
J S BOVA**

AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$226,009.77 WITH J S BOVA FOR THE NORTON ACRES PACKAGE PLANT ELIMINATION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, a Change Order Justification which outlines 15 items of work to be completed is attached.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That a change order for the sum of Two Hundred Twenty-Six Thousand, Nine and Seventy-Seven Cents (\$226,009.77) with J S. Bova is hereby authorized for the Norton Acres Package Plant Elimination Project.

SECTION 2. That the Director of Finance is hereby directed to draw his warrants in payment thereof.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken 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 meetings open to the public in compliance with the law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that it is necessary to authorize a change order for additional funds as soon as possible in order to facilitate timeliness in keeping the project moving forward, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2019

Clerk of Council

President of Council

Approved _____ 2019

Mayor

1. Change in Directional Drill Pipe Material - The city requested a change in the pipe material being installed in the directional drilled sections of the project. The original design called for the directional drilled sections to be installed using HDPE pipe to ease the future maintenance on the drilled sections, the City of Barberton requested that these sections of sewer be installed using PVC pipe. This change in pipe material shall result in an increase in the contract of \$49,957.90 and no more.
2. Sewer Undercut – During sewer installation in poor soil conditions, the sewer trench is over excavated and filled with granular material to stabilize the base. During the installation of the trunk sewer poor soils were encountered and corrected. The quantities were kept by the Contractor and the inspector. Through negotiations, it was agreed that the payment for undercut shall result in an increase to the contract of \$11,643.56 and no more.
3. and 4. Residential Sewer Laterals - During the progress of the project, The City of Norton requested that lateral connections be installed from the sewer to the Right-of-Way line for the residences along the new sewer. This direction has resulted in connections being installed in eight locations along the main trunk sewer. These laterals have resulted in an increase to the Contract of \$20,444.84 and no more. There will be additional laterals installed along the Cider Ridge sewer.
5. Creek Crossing - During the course of construction, it became necessary to install the sewer under Van Hyning Run by the open cut method rather than the directional drill method that was designed. The cost for the sewer will remain not exceed the original cost for the directional drill installation \$46,620.00.
6. and 7. Premium Backfill - The route of the trunk sewer was revised to avoid conflict with an existing gas line and the existing water line. This revision called for the sewer to be installed in the center of Clark-Mill Road. Since the sewer was in Clark-Mill Road, premium backfill was required to restore the roadway. The Contractor submitted stone tickets form the material installed. From that quantity, the City of Barberton's responsibility for payment was negotiated and agreed to be \$37,717.50 and no more. The granular backfill in Clark-Mill Road will be covered by a 2-year maintenance bond.
8. Water Main Replacement - During the installation of the trunk sewer down Clark-Mill Road, the existing water main was undermined and temporarily removed. The existing line was replaced with new ductile iron pipe, and an additional fire hydrant was installed. The City of Barberton is paying for the cost of the new material that was installed. This shall result in a cost of \$29,386.53 and no more.
9. Raise MH Castings – During the course of the project, the property owner along Van Hyning Run requested that the manholes on his property be raised by four feet to accommodate his material handling operation in this area. The cost to raise four manholes was negotiated to be \$3,500 and no more.
10. Chip and Seal Clark Mill Road – During the course of the project, it was determined that Clark-Mill Road should not be repaved until the Spring of 2020. IN order to restore an acceptable wearing surface for the winter months, the disturbed pavement area was covered with a double chip and seal coat. The cost for this surface treatment shall result in an increase to the Contract of \$10,914.75 and no more.
11. Tie-in to existing Manhole – The existing stub in the manhole on the Barber Road Trunk sewer was acceptable for the connection to the new sewer. Additional work on the manhole and the core drilling of a new connection point resulted in an additional cost of \$8,134.69 and no more.

12. Additional Survey Layout – During the course of the project the Contractor's surveyor performed additional services to stake revised sewer locations. The additional services were a result of revisions requested by both the Contractor and Owner. The additional cost for surveying was negotiated to be \$2,438.68 and no more.
13. Compaction testing – During the course of the work on Clark-Mill Road, there was compaction testing required during the placement of the premium backfill. The cost for the testing agency amounted to \$8,381.63. since part of the testing would have been required under the original contract this cost will be split equally between the City and the Contractor. The additional cost shall be \$4,190.82 and no more.
14. Lateral Survey Layout – During the course of the project the Contractor's surveyor performed additional services to the lateral locations. The additional services were a result of laterals requested by the City of Norton. The additional cost for surveying will be \$1,060.50 and no more.
15. No liquidated damages shall be assessed to JS Bova on the project.