

SPONSOR: P. Brown / Adams

## ORDINANCE NO. 28-09

AN ORDINANCE AUTHORIZING CHANGE ORDERS NUMBER 1 THROUGH 5 AND AMENDING THE CONTRACT BETWEEN THE CITY OF JACKSON, OHIO AND CRACE CONSTRUCTION COMPANY, CONCERNING THE WASTEWATER TREATMENT PLANT IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ordinance No. 267-06, adopted by Jackson City Council on December 14, 2006, the City of Jackson, Ohio and Crace Construction Company (Crace) entered into an Agreement wherein Crace was awarded the contract for the Wastewater Treatment Plant Improvement Project – Contracts 22G, E, P, and H, the original Agreement being in an amount of \$9,602,000.00; and

WHEREAS, during the course of the Project it was necessary for change orders in the original Agreement to be made; and

WHEREAS, Jackson City Council desires to formally approve change orders number 1 through 5 and to amend the original agreement to reflect the change orders; and

WHEREAS, the change orders number 1 through 5 will be in an amount of ~~\$442,440.05~~ \$445,556.34

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

**Section One.** The City hereby authorizes Change Orders number 1 through 5 and agrees to the amendment of the original Agreement between the City and Crace so as to include change orders number 1 through 5 which are required. The additional cost for change orders number 1 through 5 shall not exceed Four Hundred Forty-Two Thousand Four Hundred Forty and 05/100 Dollars (\$442,440.05). The additional costs associated with these additional services shall be paid from line item number 414-7525-53064 (Sewer Plant Improvement Project Fund).

**Section Two.** This Ordinance is hereby is hereby declared to be an emergency Ordinance necessary for the immediate preservation of the public peace, health, or safety of the City of Jackson, and for the further reason that it is necessary to formalize these change orders as soon as possible. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

Section Three. In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

Section Four. This Council finds and determines 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 that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Date: \_\_\_\_\_

\_\_\_\_\_  
**PRESIDENT OF COUNCIL**

\_\_\_\_\_  
**CLERK OF COUNCIL**

Approved:

Date: \_\_\_\_\_

\_\_\_\_\_  
**MAYOR**

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