

**ORDINANCE 2021-12
INTRODUCED BY: NEWELL**

4302

**AN ORDINANCE
AUTHORIZING THE AMENDMENT TO THE CONTRACT
BETWEEN THE VILLAGE OF CHAGRIN FALLS AND S.E.T.,
INC., TO INCREASE THE CONTRACT AMOUNT, AND
EXECUTE A CHANGE ORDER, AND DECLARING AN
EMERGENCY.**

WHEREAS, the Village enacted Ordinance 2020-13 on March 10, 2020 authorizing the Mayor to enter into a Contract with S.E.T., Inc. (“SET”) to provide for the East Washington Street Sewer Rehabilitation and also the East Washington Street Waterline Replacement Project;

WHEREAS, the Village enacted Ordinance 2020-44 on October 12, 2020 authorizing an amendment to the Contract with SET to increase the contract amount and execute a Change Order;

WHEREAS, the Village has determined from the Project (as defined in Ordinance 2020-13) work inspection that a Change Order and an increase in the scope of work by SET is required to install a new sanitary manhole to replace a tee connection, and to perform exploratory work at a sanitary lateral, to replace casting with EJ7411 with a grate at five (5) locations and replace casting with EJ7010 with a grate at five (5) locations;

WHEREAS, the Village has determined that the amount requested by SET for the Change Order work in the amount of \$67,662.64 is reasonable and acceptable;

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. The Mayor is hereby authorized to enter into an amendment to the Contract with SET to provide for a Change Order in the Contract for the East Washington Street Waterline Project in the amount of \$67,662.64 as evidenced by the Contract Change Order No. 2 attached hereto and made a part hereof as **EXHIBIT “A”**.

Section 2. Except as set forth in **EXHIBIT “A”** hereto for the Contract Change Order, the Contract, as amended by Change Order 1, between the Village of Chagrin Falls and SET shall remain in full force and effect and nothing contained herein shall be construed to authorize any further amendments, waivers, releases, or deviations from such Contract without adoption of an Ordinance by the Village Council.

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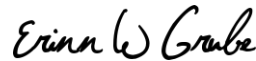
Section 3. The Finance Director is authorized to appropriate to a proper account of sum sufficient to cover the costs of the Contract Change Order authorized in Section 1 of this Ordinance.

Section 4. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

Section 5. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

Section 6. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health and safety of the inhabitants of the Village and for the further reason this Ordinance needs to take immediate effect so that the installation of the new sanitary manhole, performance of exploratory work and replacement of castings can be timely completed , and in order to reduce the amount of time that East Washington Street will be closed or limited to through traffic; wherefore, provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage and approval by the Mayor, otherwise it shall take effect and be in force after the earliest period allowed by law.

PASSED: February 8, 2021



Erinn Grube, Council President

Submitted to the Mayor for
his approval on this

10th day of February, 2021

Approved by the Mayor

02/10/2021



Mayor William Tomko


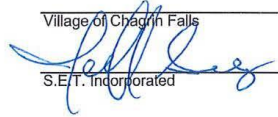
I hereby certify that Ordinance No. 2021-12 was duly enacted on the 8th day of February, 2021, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



David Bloom, Clerk of Council

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EXHIBIT "A"

STATE OF OHIO				
WATER POLLUTION CONTROL LOAN FUND (WPCLF/SRF)				
CONTRACT CHANGE ORDER				
RECIPIENT:	<u>Village of Chagrin Falls</u>	CHANGE ORDER NO.:	<u>2</u>	
WPCLF LOAN NO.:	<u>CS390240-0006</u>	CONTRACT:	<u>General Constr.</u>	
OWDA LOAN NO.:	<u>8877</u>	DATE:	<u>1/21/2021</u>	
DESCRIPTION OF CHANGE:	<i>SSO Elimination (Inflow & Infiltration Reduction)</i>			
	QTY.	UNIT	UNIT PRICE	ITEM TOTAL
1) Install new sanitary manhole to replace tee connection. See attached breakdown.	1	LS	\$19,443.07	\$19,443.07
2) Exploratory work at sanitary lateral to high school apron and replacement. See attached breakdown.	1	LS	\$13,484.12	\$13,484.12
3) Replace castings with EJ 7411 with grate at five (5) locations. Attached is breakdown.	1	LS	\$19,459.75	\$19,459.75
4) Replace castings with EJ 7010 with grate at five (5) locations. Attached is breakdown.	1	LS	\$15,275.70	\$15,275.70
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
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				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
				\$0.00
TOTAL:				\$67,662.64
RECOMMENDED BY:		DATE:	<u>1.26.21</u>	
	CT Consultants, Inc.			
APPROVED BY:	<u>Village of Chagrin Falls</u>	DATE:		
ACCEPTED BY:		DATE:	<u>1/25/2021</u>	
	S.E.T. Incorporated			
	AWARDED CONTRACT AMOUNT	OPWC SHARE	WPCLF LOAN LINE ITEM AMOUNT	(OWDA APPROVAL)
Original Amount	<u>\$2,440,274.02</u>	<u>\$561,263.02</u>	<u>\$1,879,011.00</u>	The above proposal is hereby accepted and I recommend that it be approved and made a part of the contract noted above. The approval does not constitute an increase in the total loan amount, but represents approval for the work.
Previous Changes (+/-)	<u>\$94,673.34</u>	<u>\$21,774.87</u>	<u>\$72,898.47</u>	
This Change (+/-)	<u>\$67,662.64</u>	<u>\$15,562.41</u>	<u>\$52,100.23</u>	
Adjusted Amount	<u>\$2,602,610.00</u>	<u>\$598,600.30</u>	<u>\$2,004,009.70</u>	
Ohio EPA Acceptance		Date		Chief Engineer
				Date