

ORDINANCE NO. 101-24

**AN ORDINANCE TO APPROVE A CONSTRUCTION CONTRACT
CHANGE ORDER FOR THE AVON FIRE TRAINING TOWER PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, Ordinance No. 68-24, passed on June 24, 2024, awarded a construction contract to Infinity Construction Co., Inc. in the amount of Seven Hundred Eighty-Four Thousand Five Hundred and 00/100 (\$784,500.00) for the design and construction of a fire training tower at 36185 Detroit Road; and

WHEREAS, the original construction contract work is being completed in a satisfactory manner and in compliance with the project plans and specifications as determined by the contracted engineer, the Fire Chief, and Safety Director; and

WHEREAS, during the course of construction of said project, the City determined that the concrete pavement surrounding the training tower is in need of repair and expansion; and

WHEREAS, while the construction of the training tower did include a small amount of concrete replacement, the Fire Chief and the Safety Director solicited a unit price from the contractor to place additional concrete in areas depicted on the attached [Exhibit A](#); and

WHEREAS, the unit price solicited for concrete installation was reviewed and approved by the Fire Chief and the Safety Director as being a reasonable unit price in line with current market conditions for similar work; and

WHEREAS, the Fire Training Tower concrete work depicted in Exhibit A will require a Change Order to modify the construction contract with Infinity Construction Co., Inc. from the original amount of Seven Hundred Eighty-Four Thousand Five Hundred and 00/100 Dollars (\$784,500.00) to a new amount of Nine Hundred Twenty-Nine Thousand Five Hundred Ninety and 00/100 Dollars (\$929,590.00), an increase of One Hundred Forty-Five Thousand Ninety and 00/100 Dollars (\$145,090); and

WHEREAS, Council finds that it is in the best interest of the health, safety, and welfare of the Community that the City go forward with approving this project Change Order to set the final value of the construction contract with Infinity Construction Co., Inc. for the Fire Training Tower Project at Nine Hundred Twenty-Nine Thousand Five Hundred Ninety and 00/100 Dollars (\$929,590.00).

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:

Section 1 - That a project Change Order in the amount of One Hundred Forty-Five Thousand Ninety and 00/100 Dollars (\$145,090), which increases the final value of the construction contract with Infinity Construction Co., Inc. for Fire Training Tower from the amount of Seven Hundred Eighty-Four Thousand Five Hundred and 00/100 Dollars (\$784,500.00) as originally established by Ordinance No. 68-24 to a final as constructed amount of Nine Hundred Twenty-Nine Thousand Five Hundred Ninety and 00/100 Dollars (\$929,590.00), is hereby approved.

Section 2 - That Finance Director is hereby authorized to reappropriate the funds required to meet the financial obligation of this Change Order. (See Ordinance No. 102-24)

Section 3- That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Resolution were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4- That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety, and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to approve a Change Order and proceed with the additional work before the close of the 2024 construction season; therefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
Electronically and at City Hall as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director