

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: November 4, 2024

DATE SIGNED: November 4, 2024

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: November 5, 2024

[Signature]

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Barbara Brooks
Clerk of Council

Posted: November 6, 2024
Electronically and at City Hall as
Provided by Council

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

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 101-24, passed by the Council of said City on November 4, 2024.

IN WITNESS WHEREOF, I have on this 5th day of November 2024, affixed my signature and official seal.

Barbara J. Brooks
Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio



18440 Cranwood Parkway
Warrensville Heights, Ohio 44128
Infinityconstruction.com
p 216-663-3777
f 216-663-3778

Exhibit A to Ordinance No. 101-24

October 29, 2024

Tim Boyle
Project Manager
Infinity Construction

City of Avon
Attn: Duane Streator
City of Avon Director of Public Safety and Service
36080 Chester Road
Avon, Ohio, 44011

Subject: Cost Efficiency Proposal for Additional Concrete Work – Avon Fire Training Tower

Dear Duane,

We are writing to provide an update and detailed cost analysis on the additional concrete work proposed at the Avon Fire Training Tower. As you know, we initially secured a rate of \$19.67 per square foot for concrete installation (excluding existing concrete demolition) at the outset of this project. Currently, we have negotiated a revised rate of \$20.70 per square foot that includes both the new concrete work and the necessary demolition of the existing concrete in the area to be replaced.

We are confident that this revised rate offers the City of Avon exceptional value for several reasons:

1. **Cost Efficiency Due to On-Site Presence:** The contractor's equipment is already on-site and performing work in close proximity to the additional area under consideration. This eliminates the need for additional mobilization fees, which would typically apply if a separate contractor were required to perform this work at a later date.
2. **Fair Market Value Assurance:** After careful review, we can confirm that the secured rate of \$20.70 per square foot, inclusive of demolition, is highly competitive when benchmarked against current market rates. This price reflects the advantageous terms available when combining additional work with the primary scope, thus saving the City both time and expense.
3. **Efficient Use of City Resources:** Municipal projects often achieve significant savings by maximizing the contractor's presence on-site. This strategy reduces redundancy in equipment mobilization and demobilization and allows for better cost control. Proceeding with this rate ensures that the City of Avon makes the most efficient use of its budget for the Avon Fire Training Tower.

We believe that this updated proposal represents the best possible pricing and provides the City with a cost-effective solution that will ultimately save funds while ensuring the project remains on schedule and within budget.

Thank you for your consideration of this proposal. We look forward to continuing to work closely with the City of Avon to deliver a successful project at the Avon Fire Training Tower.

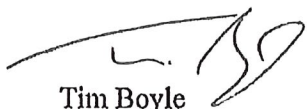
City of Avon Training Tower

Please note the break down as follows:

Attached proposal:	\$130,900 (\$20.70 per SF demo and replace)
Steel Bollards:	\$ 1,000
Allowable mark up	<u>\$ 13,190</u>
Total Cost	\$145,090

Please do not hesitate to reach out should you have any questions or require further clarification.

Sincerely,



Tim Boyle
Project Manager
Infinity Construction

Please find attached a copy of the referenced quote from North American Cement.

North American Cement Co., Inc.

5915 E. Schaaf Road, Suite 4, Independence, Ohio 44131-1311
Phone 216-642-8500 Fax 216-642-4360



REVISED Quote & Scope of Work

10-11-2024

Attn: Tim Boyle
Infinity Construction
RE. Avon / Fire pavement replacement

North American Cement Co., Inc. proposes to provide all labor, equipment, and materials necessary to complete the items of work for the following: (Drawing attached of work areas.

1. Saw cut perimeter of existing pavement in picture frame Perimeter to prevent chipping of edges.
2. Demo / Hammer and remove existing pavement and haul away from site.
3. Drill and install 5/8" plain steel hook bolts with inserts into existing pavement perimeter edges.
4. Fine grade and supply #304 stone as needed and compact existing subbase for new 8" thick pavement.
5. Provide and install Transvers and longitudinal epoxy coated dowel baskets on contraction joint lines.
6. Provide and install 8" thick site concrete with broom line texture and saw cut contraction joints.
7. Supply and install hot asphaltic joint sealer in blown out contraction joints and perimeter edges.

Our price for the concrete work as described above with NO tax on materials is: \$85,400.00

ADDED Area on Drawing with 4 bollards, to be supplied by others. ADD \$45,500.00 to estimate price above.

The following items are our not included in our pricing and are to be provided or performed by others:

- a) All concrete testing as may be required.
- b) Supply and or installation of Bollards.
- c) All building and engineering permits and inspection fees.
- d) Winter heat and weather protection is excluded.
- e) Price is based on a 5-day workweek.
- f) Perimeter and fall protection or street/sidewalk obstruction barricades, etc.
- g) Any item not specifically mentioned above.

Sincerely,
North American Cement Co., Inc.

Jerry Cifani

