

ORDINANCE NO. 2014- 3695

AN ORDINANCE TO AUTHORIZE THE EXPENDITURE AND DIRECT THE SAFETY SERVICE DIRECTOR TO ENTER INTO A CONTRACT THAT INCLUDES OPTIONS FOR EITHER REMOVING OR REPAIRING THE DAM WITH THE CONSTRUCTION FIRM MWH CONSTRUCTORS, INC. FOR THE FREMONT BALLVILLE DAM 2013 PROJECT IN FREMONT, STATE OF OHIO AND DECLARING AN EMERGENCY.

WHEREAS, in order to proceed with the Ballville Dam 2013 project, the City of Fremont desires to enter into a contract with the construction firm MWH Constructors, Inc. for their services;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL, CITY OF FREMONT, STATE OF OHIO:

SECTION 1. The Fremont City Council hereby authorizes and directs the Safety Service Director to enter into a contract that includes options for either removing or repairing the Ballville Dam with the construction firm MWH Constructors, Inc. for the Fremont Ballville Dam 2013 Project. The scope of work and corresponding contract amounts shall include:


1. A preliminary construction budget of \$10,700,000;
2. Preconstruction Stage Compensation in an amount not to exceed \$355,740.00;
3. Construction stage Personnel Costs in an amount not to exceed \$673,346.00;
4. Construction stage General Conditions Costs in an amount not to exceed \$206,050.00;
5. A Construction Manager's Contingency in an amount not to exceed 5% of the Cost of Work;
6. A Construction Manager's Fee in an amount not to exceed 5% of the sum of the Cost of Work and Construction Manager's Contingency; and,
7. The final amounts for the construction stage Personnel Costs, General Conditions Costs, Construction Manager's Contingency and Construction Manager's Fee shall be established by a GMP Amendment to be approved by the Council.

SECTION 2. The \$355,740.00 for Preconstruction Stage Compensation is allocated and to be appropriated from Fund No. 541, the Water Replace/Improve Fund.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Revised Code of Ohio.

SECTION 4. The immediate operation of the provisions of this ordinance is necessary for the immediate preservation of the public peace, health, safety and welfare of the citizens of the City of Fremont. Said emergency being the need to comply with time deadlines set by ODNR and U. S. Fish and Wildlife.

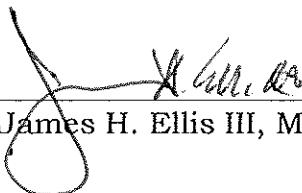
This ordinance, provided it receives a two-thirds yea or nay vote of all the members elected to the Fremont City Council, is hereby declared to be an emergency measure and this ordinance shall be in full force and effect from and after its passage by the Council of the City of Fremont, approval by the Mayor, and publication and posting as required by law.


Dallas L. Leake
President of Council

PASSED: 4-3-14
Effective Date: 4-3-14

YEAS: 6 NAYS: _____


Elaine J. Huntley, Clerk of Council


James H. Ellis III, Mayor

ORDI842 REVISED FINAL

Approved as to form:

A handwritten signature in black ink, appearing to be 'JFM', written over a horizontal line.

James F. Melle, Director of Law
City of Fremont, Ohio