

ORDINANCE NO. 2015- 3768

AN ORDINANCE TO AUTHORIZE THE EXPENDITURE AND DIRECT THE SAFETY SERVICE DIRECTOR TO ENTER INTO A CHANGE ORDER TO GMP AMENDMENT NO. 3, WITH THE CONSTRUCTION FIRM MWH CONSTRUCTORS, INC. FOR AN AMOUNT NOT TO EXCEED \$431,000.00 FOR COMMISSIONING AND START UP COSTS IN ACCORDANCE WITH ALTERNATE #1 IN EXHIBIT K FOR IMPROVEMENTS TO THE WATER POLLUTION CONTROL CENTER IN FREMONT, STATE OF OHIO AND DECLARING AN EMERGENCY.

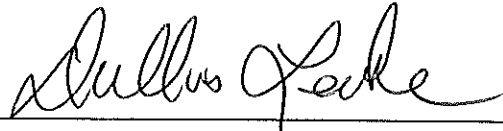
BE IT ORDAINED BY THE COUNCIL, CITY OF FREMONT, STATE OF OHIO:

SECTION 1. The Fremont City Council hereby authorizes the expenditure and directs the Safety Service Director to enter into a Change Order to GMP Amendment No. 3, attached as Exhibit A, with the construction firm MWH Constructors, Inc. in an amount not to exceed \$431,000.00 for commissioning and start up costs in accordance with Alternate #1 in Exhibit K of GMP Amendment No. 3 for improvements to the Fremont Water Pollution Control Center.

SECTION 2. 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 3. 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 the Ohio EPA and to prevent combined sewer overflows from occurring in the future.

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.

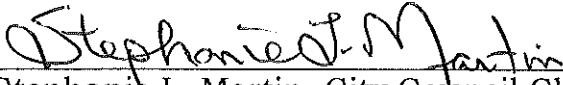


Dallas Leake
President of Council

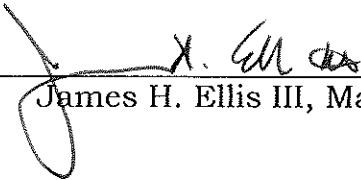
PASSED: 6-4-15

Effective date: 6-4-15

YEAS: 5 NAYS: 1



Stephanie L. Martin, City Council Clerk



James H. Ellis III, Mayor

ORDI921

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

State of Ohio
OHIO WATER DEVELOPMENT AUTHORITY

CHANGE ORDER Number 10

OWDA Project No.: 6460 LGA Name: City of Fremont

Contract: Water Pollution Control Center Exapnsion-GMP 3

Title of Change Order: Commissioning and Start Up

Date: 5/1/2015

Description of Change:

The City has elected to have MWH Constructors, Inc. ("CM") provide Commislsioning and Start Up ("C&SU") for the project in accordance with Alternate #1 in Exhibit K of GMP Amendment #3. This service includes the following scope:

- a. Develop the Commissioning and Start Up Plan for the Project. This task will entail a thorough review of Project technical data, establishing commissioning protocols for equipment and systems, and planning the acceptance test and training sessions.
- b. Implement the Control Strategy Testing for each piece of equipment. This task consists of confirming the equipment operates in Local/Automatic, Remote/Manual and Remote/Automatic control as identified in the Specified Control Strategies. All alarms and interlocks will be tested as well. Each loop will be tested and documented from the HMI to the specific piece of equipment. The CM C&SU team will confirm that equipment operates as a process unit.
- c. Operate the Facility through Acceptance Testing. The specification calls for an 8 day performance test. A certified operator from the CM C&SU team will be onsite during the performance test to operate the plant. The CM C&SU team will operate the plant until it successfully passes the performance test and operations are turned over to the City staff.

Commissioning and Start Up of both the Liquids and Solids Facilities will be required for Final Acceptance of each facility. As such, the Construction Stage Milestones are modified as follows:

Construction Stage Milestones	Contract Times
Notice to Proceed	April 3, 2014
Liquids Facility Final Acceptance	605 days after Notice to Proceed
Solids Notice to Proceed	1 day after Liquids Facility Final Acceptance
Solids Facility Final Acceptance	355 days after Solids Facility Final Acceptance

Commissioning and Start Up of the facilities will be provided for the lump sum amount of \$431,000. The services will be billed and paid for on a percent complete basis.

The following Clarifications apply:

- 1. Charges for power, water, chemicals, and natural gas required for Commissioning and Start Up will be paid for by the City.

The time provided for completion in the contract for the above items is (increased/decreased) by _____ calendar days. The new completion contract dates are as follows:

Substantial Completion Date:

Final Completion Date:

RECOMMENDED FOR APPROVAL BY: _____
MWH Americas
Name of Engineering Firm *Date*

Engineer's Signature

Original Contract Amt	57,068,001	15	Approved By:	City of Fremont
Previous Changes (+ or --)			Date:	<i>Name of Owner</i>
This Change (+ or --)	431,000	00	Submitted By:	<i>Owner's Signature</i>
Adjusted Contract Amt	57,499,001	15	Date:	MWH Constructors, Bryan Canzoneri
				<i>Name of Contractor</i>
				<i>Contractor's Signature</i>

Ohio Water Development Authority

The above proposal is hereby accepted and I recommend that it be approved and made a part of the OWDA contract noted above. The approval does not constitute an increase in the total loan amount, but represents approval for the work.

Chief Engineer

Date