

VILLAGE COUNCIL OF WAKEMAN, OHIO
RESOLUTION NO.: 2023-R-12

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT AMENDMENT WITH **KLEINFELDER, INC** FOR **CONSTRUCTION SERVICES FOR THE FARMER & COOPER STREET WATERLINE REPLACEMENT** PROJECT AND DECLARING AN EMERGENCY

WHEREAS, Village Council previously authorized the Village Administrator to enter into an Agreement with Poggemeyer Design Group, Inc (a Kleinfelder Company) for technical services for the Farmer & Cooper Street Waterline Replacement Project in Resolution No.: 2022-R-21 passed August 8, 2022; and

WHEREAS, Section 5 of Resolution No.: 2022-R-21 provided that construction services are not considered as part of the contract letter but may be added by contract amendment upon subsequent village approval; and

WHEREAS, the Village would now like to add construction services to the project by contract amendment; and

WHEREAS, **Kleinfelder Inc.** has submitted a proposed Contract Amendment for Construction Services dated 2/23/2023; and

WHEREAS, the Village Administrator is requesting authorization to enter into the Contract Amendment described herein; and

WHEREAS, in those villages that have established the position of village administrator, the village administrator shall make contracts, purchase supplies and materials, and provide labor for any work under the administrator's supervision involving not more than fifty thousand dollars. [Section 731.141 of the Ohio Revised Code; See also Section 133.02 of the Wakeman Codified Municipal Code]

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WAKEMAN, STATE OF OHIO: (RC 731.18)

SECTION 1. That Village Council deems it necessary to obtain Construction Services for the **FARMER & COOPER STREET WATERLINE REPLACEMENT** Project.

SECTION 2. That Village Council hereby accepts the proposed Contract Amendment along with EXHIBIT A submitted by **Kleinfelder, Inc.** dated 2/23/2023, **Project Number: 20232111.001A** for Construction Services for the **FARMER & COOPER STREET WATERLINE REPLACEMENT** Project.

SECTION 3. That the Village Administrator hereby authorized and directed to enter into the above-described letter contract amendment, including exhibits ATTACHED

HERETO AND INCORPORATED HEREIN BY REFERENCE.

SECTION 4. That the contract amendment shall be executed in the name of the village and signed on its behalf by the village administrator. [Section 731.141 of the Ohio Revised Code; See also Section 133.02 of the Wakeman Codified Municipal Code]

SECTION 5. That such contract amendment shall be contingent upon the lawful appropriation of funds.

SECTION 6. DISPENSE WITH THREE READINGS. [R.C. 731.17(A)(2)] That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days.

SECTION 7. DECLARATION OF EMERGENCY. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s): *The work through construction is expected to be completed by May 1, 2024.*

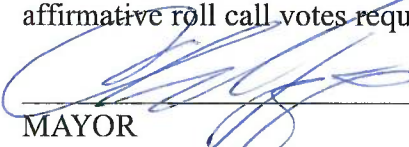
SECTION 9. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 13 day of March, 2023.

AUTHENTICATION and ATTESTATION
(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.


MAYOR


FISCAL OFFICER

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 5 NAYS: 0 ABSTAIN: 0

First Reading: March 19 2023
Second Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C.731.17(A)(2))
Third Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

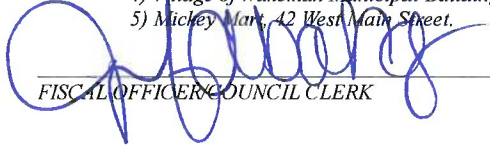
PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:

SP (JUA)
VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF POSTING
(RC 731.25)

I hereby certify that pursuant to R.C. 731.25, a succinct summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority [see Wakeman Code 123.01] for a period of not less than fifteen days prior to the effective date at the following locations:

- 1) *Wakeman Public Library, 18 East Abbott Street; and*
- 2) *Electronically online at official Village website; and*
- 3) *Wakeman Post Office, 17 West Main Street; and*
- 4) *Village of Wakeman Municipal Building, 59 Hyde Street; and*
- 5) *Mickey Mart, 42 West Main Street.*



FISCAL OFFICER/COUNCIL CLERK

ATTACHMENT

- CLIENT
- ARCHITECT/ENGINEER

Contract Amendment



PROJECT: Farmer Street and Cooper Street Waterline Replacement	CONTRACT AMENDMENT NUMBER: 1
	DATE: 2/23/2023
TO CLIENT: Village of Wakeman 59 Hyde Street Wakeman, Ohio 44889	KI PROJECT NUMBER: 20232111.001A
	CONTRACT DATE: 8/04/2022
	PROJECT MANAGER: Doug Nusser

The Contract is changed as follows:

Adjust professional services, fees, and contract amount to add construction services for the Farmer Street and Cooper Street Waterline Improvements.

This work through construction is expected to be completed by May 1, 2024, pending authorization of this agreement. See attached Exhibit A for amendment request fee itemization summary for this project.

The original Contract Sum:	\$40,430.00
The net change by previously submitted Contract Amendments:	\$0.00
The Contract Sum prior to this Contract Amendment:.....	\$40,430.00
The Contract Sum will be a lump sum increase by this Amendment in the amount of:	<u>\$32,140.00</u>
The new Contract Sum including this Contract Amendment:	\$72,570.00
The Contract Time will be increased to:	5/1/2024 (thru construction)

NOT VALID UNTIL SIGNED BY THE ARCHITECT/ENGINEER AND CLIENT

Kleinfelder, Inc.
 ARCHITECT/ENGINEER

1168 North Main Street
 Bowling Green, Ohio 43402
 ADDRESS

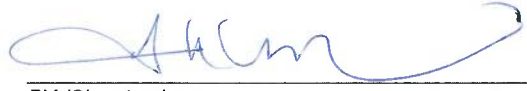

 BY (Signature)

Douglas A. Nusser – Sr Program Manager
 (Typed/printed name)

2-23-2023
 DATE

Village of Wakeman
 CLIENT

59 Hyde Street
 Wakeman, Ohio 44889
 ADDRESS


 BY (Signature)

Trisha Summers – Village Administrator
 (Typed/printed name)

3/14/2023
 DATE

EXHIBIT A

Village of Wakeman/Kleinfelder, Inc. Contract Amendment Request 1 - Exhibit A, Fee Summary

Farmer Street and Cooper Street Waterline Replacement

Village of Wakeman

KI Proj No. 20232111.001A

February 23, 2023

<u>Column A</u>	<u>Column B</u>	<u>Column C</u>	<u>Column D</u>
	Original	Amendment/	Proposed
	Contract	Authorization	Contract
	Amount	Request #1	Totals
<u>Technical Services - Fee Amendment Request</u>			
1 Preliminary Engineering & Topographic Survey	\$4,145.00		\$4,145.00
2 Engineering Design	\$31,100.00		\$31,100.00
3 Bidding	\$5,185.00		\$5,185.00
4 Construction Engrg/Adm		\$3,890.00	\$3,890.00
5 Construction Staking		\$3,890.00	\$3,890.00
6 Observation		\$24,360.00	\$24,360.00
7 Totals	\$40,430.00	\$32,140.00	\$72,570.00