

**ORDINANCE NO. 4-2024**

**AUTHORIZING THE VILLAGE ADMINISTRATOR TO EXECUTE A CHANGE ORDER FOR THE VIRGINIA AVENUE WATER MAIN REPLACEMENT AND REPAVING PROJECT AND DECLARING AN EMERGENCY**

**WHEREAS**, this Council previously passed Ordinance No.12-2023, awarding a contract to Rack & Ballauer Company (“Rack & Ballauer”) for the Virginia Avenue Water Main Replacement and Repaving Project (the “Project”), in the amount of \$1,210,541.00; and

**WHEREAS**, based upon further investigation of road conditions during ongoing construction, Change Order No. 1 has been submitted and recommended by the Village Engineer for necessary replacement curb work related to the work performed under the existing contract; and.

**WHEREAS**, the total amount of curb to be replaced is 4,620 feet at \$54.00 per foot, for a total of \$249,480.00;

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of Fairfax, State of Ohio that:

**SECTION I:** Council hereby approves, and authorizes the Village Administrator to execute, Change Order No.1 in the amount of \$249,480.00, attached hereto as Exhibit A, bringing the total cost of the Project to \$1,460,021.00 and amending the contract for the Project accordingly.

**SECTION II:** This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and general welfare and shall be effective immediately. The reason for said declaration of emergency is the immediate need to approve the additional work items for the Project in order to meet the completion requirement of the contract.

Passed this 18<sup>th</sup> day of March, 2024.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
Fiscal Officer

**CERTIFICATE**

I hereby certify this to be a true and correct copy of Ordinance No.4-2024 passed at a meeting of the Council of the Village of Fairfax on this 18<sup>th</sup> day of March, 2024.

\_\_\_\_\_

**CHANGE ORDER**

NO. ONE

DATE OF ISSUANCE: 14-Mar-24 EFFECTIVE DATE: 14-Mar-24  
 OWNER: VILLAGE OF FAIRFAX  
 CONTRACTOR: RACK & BALLAUER  
 CONTRACT: ENTIRE PROJECT  
 PROJECT: VIRGINIA AVENUE RESURFACING & WATER MAIN REPLACEMENT  
 OWNER'S CONTRACT NO.: \_\_\_\_\_ ENGINEER'S CONTRACT NO.: 23001-E  
 ENGINEER: J. T. KING & CO. INC., CINCINNATI, OHIO

You are directed to make the following changes in the Contract Documents:

Description:  
 REMOVE AND REPLACE 4,620 LF OF CURB, PROVIDE TOPSOIL AND SEEDING/MULCHING  
 AND PROVIDE TPYE 'D' ROCK WHERE NEEDED

Reason for Change Order: MORE THAN 50% OF CURB IS DETERIORATED  
BID PRICE ON ORIGINAL BID AT \$54.00/ LF

Attachments: (List documents supporting change)  
 BID FROM RACK & BALAUER, EMAIL FROM VILLAGE ADMINISTRATOR  
 OUTLINING PROPOSED COSTS FOR CURB REPLACMENT

CHANGE IN CONTRACT PRICE:	
Original Contract Price	\$ <u>\$1,210,541.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>NONE</u> to _____:	<u>\$0.00</u>
Contract Price prior to this Change Order:	<u>\$1,210,541.00</u>
Net increase (decrease) of this Change Order:	<u>\$249,480.00</u>
Contract Price with all approved Change Orders:	<u>\$1,460,021.00</u>

CHANGE IN CONTRACT TIMES:	
Original Contract Times: Substantial Completion: <u>NONE</u> Ready for Final Payment: _____ (days or dates)	
Net change from previous Change Orders No. _____ to No. _____: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____ (days)	
Contract Times prior to this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____ (days or dates)	
Net increase (decrease) this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____ (days)	
Contract Times with all approved Change Orders: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____ (days or dates)	

RECOMMENDED:



APPROVED:

ACCEPTED:

By: J. T. KING & CO. INC. By: VILLAGE OF FAIRFAX, OHIO By: RACK & BALLAUER  
 ENGINEER OWNER (CONTRACTOR)

DATE: 3/14/2024

**CHANGE ORDER**

NO. ONE

DATE OF ISSUANCE: 14-Mar-24 EFFECTIVE DATE: 14-Mar-24  
 OWNER: VILLAGE OF FAIRFAX  
 CONTRACTOR: RACK & BALLAUER  
 CONTRACT: ENTIRE PROJECT  
 PROJECT: VIRGINIA AVENUE RESURFACING & WATER MAIN REPLACEMENT  
 OWNER'S CONTRACT NO.: \_\_\_\_\_ ENGINEER'S CONTRACT NO.: 23001-E  
 ENGINEER: J. T. KING & CO. INC., CINCINNATI, OHIO

Your are directed to make the following changes in the Contract Documents:  
 Description:  
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 AND PROVIDE TYPY 'D' ROCK WHERE NEEDED

Reason for Change Order: MORE THAN 50% OF CURB IS DETERIORATED  
BID PRICE ON ORIGINAL BID AT \$54.00/ LF

Attachments: (List documents supporting change)  
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 OUTLINING PROPOSED COSTS FOR CURB REPLACMENT

*FYI*

CHANGE ORDER SUMMARY

VILLAGE OF FAIRFAX CO SUMMARY VALUES			
NO.	C.O.	TOTAL	TOTAL PROJ COST
			\$1,210,541.00
CO NO. 1		\$249,480.00	\$1,460,021.00

CHANGE IN CONTRACT PRICE:	
Original Contract Price	\$ <u>\$1,210,541.00</u>
Net Increase (Decrease) from previous Change Orders No. <u>NONE</u> to _____:	<u>\$0.00</u>
Contract Price prior to this Change Order:	<u>\$1,210,541.00</u>
Net increase (decrease) of this Change Order:	<u>\$249,480.00</u>
Contract Price with all approved Change Orders:	<u>\$1,460,021.00</u>

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Original Contract Times: Substantial Completion: <u>NONE</u> Ready for Final Payment: _____ (days or dates)	
Net change from previous Change Orders No. _____ to No. _____: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____ (days)	
Contract Times prior to this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____ (days or dates)	
Net increase (decrease) this Change Order: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____ (days)	
Contract Times with all approved Change Orders: Substantial Completion: <u>N/A</u> Ready for Final Payment: _____ (days or dates)	

RECOMMENDED: \_\_\_\_\_ APPROVED: \_\_\_\_\_ ACCEPTED: \_\_\_\_\_  
 By: J. T. KING & CO. INC. By: VILLAGE OF FAIRFAX, OHIO By: \_\_\_\_\_  
 ENGINEER OWNER (CONTRACTOR)  
 DATE: \_\_\_\_\_

## Change Order

Jennifer Kaminer <jkaminer@fairfaxoh.org>

Wed 3/13/2024 11:20 AM

To: tking@jtking.com <tking@jtking.com>

Tim,

I met with council in committee on Monday evening. They have verbally approved a change order for the replacement of curbs on Virginia Avenue.

Rack had quoted a price of \$249,480 for 4,620 ft of curb @ \$54/foot. Can you prepare a change order for this work and send it to Scott Rack and John Ballauer for their signature and send me a copy so I can attach that to the ordinance for the council meeting?

1. Remove & Replace Curb – 4,620 Ft @ \$54/Ft = \$249,480.00 (includes topsoil, seeding, River Rock & Type D Rock where needed)

Let me know if you have any questions. FYI – council did not approve taking on any apron work unless it was disturbed as part of the project. The businesses will be on their own to replace any aprons that need to be replaced.

Thank you,

**Jennifer Kaminer**  
Administrator  
Village of Fairfax  
5903 Hawthorne Ave.  
Fairfax, OH 45227

