

ORDINANCE NO. 2005-47

**AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDERS NOS. 001, 002, 003 AND 004 TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND LARRY SMITH CONTRACTORS, INC. FOR CONSTRUCTION OF U.S. 42 TRUNK SEWER IMPROVEMENTS – NORTH (PHASE 1)**

WHEREAS, The City of Mason is reconstructing a portion of the existing sanitary sewer system known as U.S. 42 Trunk Sewer Improvements – North (Phase 1), and

WHEREAS, The City of Mason entered into a Contract with an effective date of May 17, 2004 with Larry Smith Contractors, Inc., 5737 Dry Fork Road, Cleves, Ohio 45002 for Construction of U.S. 42 Trunk Sewer Improvements – North (Phase 1), and

WHEREAS, the Contract for Construction of U.S. 42 Trunk Sewer Improvements - North (Phase 1) provides for the payment to Larry Smith Contractors, Inc. of an amount not to exceed \$793,936.00 for completion of the work specified in the Contract, and

WHEREAS, The City of Mason and Larry Smith Contractors, Inc. now mutually desire to amend the Contract by the execution of Change Orders Nos. 001, 002, 003 and 004 which will modify the work specified in Contract D and will increase the total payment for completion of the work specified in the Contract by the amount of \$61,173.38, and

WHEREAS, Section 133.05 of the Codified Ordinances of Mason, Ohio requires that the Council approve any change order on an existing contract exceeding \$15,000.00;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Mason, six members thereto occurring:

Section 1. That the City Manager of the City of Mason is hereby authorized to execute on behalf of the City Change Orders Nos. 001, 002, 003 and 004 to the Contract for the compensation of \$61,173.38.

Section 2. That the Finance Director of the City of Mason is hereby authorized to increase the amount of compensation payable to Larry Smith Contractors, Inc. under the Contract by the amount of \$61,173.38 upon satisfactory completion of the work agreed to in Change Orders Nos. 001, 002, 003 and 004.

Section 3. That this Ordinance shall take effect and be in force from and after the

earliest period allowed by law.

Passed this 11<sup>th</sup> day of April, 2005.



Mayor

Attest



Clerk of Council

Certificate of Publication

I, the undersigned Clerk of Council of the Municipality of Mason, Ohio hereby certify that the foregoing ordinance was published as required by Section 4.16 of the Charter of said Municipality by posting a copy in the lobby of the municipal building.



Clerk of Council

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