

ORDINANCE NO. 2005-81

**AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDERS NOS. 004 AND 005 TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND ESI, INC. FOR ELECTRICAL CONSTRUCTION OF THE CITY'S NEW WATER RECLAMATION PLANT**

WHEREAS, The City of Mason is constructing a new Water Reclamation Plant (WRP) at 3600 Mason-Morrow-Millgrove Road, scheduled to be completed in early 2006; and

WHEREAS, The City of Mason entered into an Agreement (Contract E) dated April 2, 2004 with ESI, Inc., 4696 Devitt Drive, Cincinnati, Ohio 45246 (ESI) for Electrical Construction of said WRP; and

WHEREAS, Contract E provides for the payment of a Lump Sum of \$3,130,000.00 for completion of the work specified in Contract E; and

WHEREAS, The City of Mason and ESI have previously executed Change Orders Nos. 001, 002, and 003 to Contract E, with a total increased amount of \$60,879.00; and

WHEREAS, The City of Mason and ESI now mutually desire to further amend Contract E by the execution of Change Orders Nos. 004 and 005, which will modify the work specified in Contract E and will increase the total payment for completion of the work specified in Contract E by the amount of \$77,505.00; 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. 004 and 005 to Contract E for the increased compensation of \$77,505.00.

Section 2. That the Finance Director of the City of Mason is hereby authorized to increase the amount of compensation payable to ESI under Contract E by the amount of \$77,505.00 upon satisfactory completion of the work agreed to in Change Orders Nos. 004 and 005.

Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 27<sup>th</sup> day of June, 2005.

Attest



Mayor



Clerk of Council