

ORDINANCE NO. 2006-189

**AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE EXISTING AGREEMENT BETWEEN THE CITY OF MASON AND DUGAN & MEYERS CONSTRUCTION CO., INC. FOR CONSTRUCTION MANAGEMENT OF THE CITY'S NEW WATER RECLAMATION PLANT**

WHEREAS, the City of Mason is constructing a new Water Reclamation Plant (WRP) at 3200 Mason-Morrow-Millgrove Road, scheduled to be completed in 2006; and

WHEREAS, the City of Mason entered into an Agreement dated November 19, 2003, with Dugan & Meyers Construction Co., Inc., 11110 Kenwood Road, Cincinnati, Ohio 45241 (Dugan & Meyers) for construction management services for said WRP; and

WHEREAS, the Agreement provides for the payment of a lump sum of \$1,837,850.00 for completion of the work specified in the Agreement; and

WHEREAS, the Agreement has previously been amended under Ordinance No. 2006-68 to include an additional amount of \$236,341.00 for accrued additional management fees and additional services for extension of construction management to August 31, 2006; and

WHEREAS, Dugan & Meyers has now accrued additional management fees for construction change orders under the terms of the Agreement in the total amount of \$10,830.00; and

WHEREAS, the City of Mason and Dugan & Meyers now mutually desire to amend the Agreement by the execution of an Amendment, which will modify the work specified in the Agreement and will increase the total payment for completion of the work specified in the Agreement by the amount of \$10,830.00; 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, five members thereto concurring:

Section 1. That the City Manager of the City of Mason is hereby authorized to execute on behalf of the City an Amendment to the Agreement with Dugan & Meyers in the total amount of \$10,830.00.

Section 2. That the Finance Director of the City of Mason is hereby authorized to increase the amount of compensation payable to Dugan & Meyers by the amount of \$10,830.00

upon satisfactory completion of the work agreed to in the Amendment.

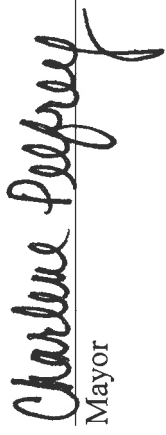
Section 3. That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed this 11<sup>th</sup> day of December, 2006.

Attest



Clerk of Council

  
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Mayor

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