

ORDINANCE NO. 2006-190

**AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER NO. 016 AND EXHIBIT A TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND ADAMS ROBINSON ENTERPRISES FOR GENERAL CONSTRUCTION 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 (Contract "A") dated April 2, 2004, with Adams Robinson Enterprises, Inc., 2735 Needmore Road, Dayton, Ohio 45414 (Adams Robinson) for general construction of said WRP; and

WHEREAS, Contract "A" provides for the payment of a lump sum of \$23,557,000.00 for completion of the work specified in Contract "A"; and

WHEREAS, the City of Mason has previously authorized Change Orders Nos. 001 through 015 to Contract "A", with a total increased amount of \$227,601.00; and

WHEREAS, the City of Mason and Adams Robinson Enterprises, Inc., now mutually desire to amend Contract "A" by the execution of Change Order No. 016 and Exhibit A thereto, which will modify the work specified in Contract "A" and will increase the total payment for completion of the work specified in Contract "A" by the amount of \$346,000.00; 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 Change Order No. 016 and Exhibit A thereto, to Contract "A" with Adams Robinson Enterprises, Inc., for the increased compensation of \$346,000.00.

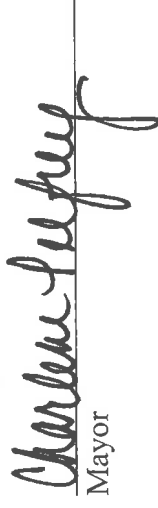
Section 2. That the Finance Director of the City of Mason is hereby authorized to decrease the amount of compensation payable to Adams Robinson under Contract "A" by the amount of \$346,000.00 upon satisfactory completion of the work agreed to in Change Order No. 016.

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

  
Mayor