

ORDINANCE NO. 2010 - 126

AUTHORIZING THE CITY MANAGER TO EXECUTE CHANGE ORDER #3 TO THE EXISTING CONTRACT BETWEEN THE CITY OF MASON AND DALMATIAN FIRE, INC. IN THE AMOUNT OF \$6,176 FOR THE CITY OF MASON COMMUNITY CENTER ADDITION AND ALTERATIONS AND DECLARING AN EMERGENCY.

WHEREAS, the City of Mason entered into a Contract dated June 8, 2009, Ordinance 2009-63, plus Change Order #1, dated November 30, 2009, Ordinance 2009-139, minus Change Order #2 dated May 10, 2010, Ordinance 2010-53, with Dalmatian Fire, Inc., for The Mason Community Center Additions and Alterations; and

WHEREAS, the Contract provides for the payment of an amount not to exceed \$202,839.00 as previously amended for completion of the work specified in the Contract; and

WHEREAS, the City of Mason and Dalmatian Fire, Inc. now mutually desire to amend the Contract by the execution of Change Order #3, which will modify the work specified in the Contract and will decrease the payment for completion of the work specified in the Agreement by the amount of \$6,176, which is a total of \$196,663 for the completed contract; 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.

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

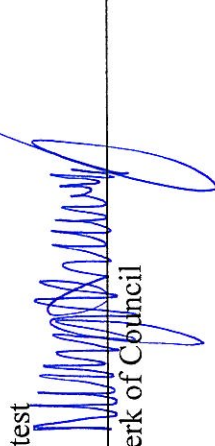
Section 1. That the City Manager of the City of Mason is hereby authorized to execute on behalf of the City Change Order #3 to the Contract with Dalmatian Fire, Inc., for the decreased compensation of \$6,176 for a total contract of \$196,663.

Section 2. That the Finance Director of the City of Mason is hereby authorized to decrease the amount of compensation payable to Dalmatian Fire, Inc., under the Contract by the amount of \$6,176 upon satisfactory completion of the work agreed to in the Change Order.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to execute the change order at the earliest possible date.

Passed this 22nd day of November, 2010.


Mayor

Attest

Clerk of Council