

**ORDINANCE NO. 07-41 AC CMS**

**AN ORDINANCE AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH WILLIAMS BROTHERS BUILDERS, INC , OF ELYRIA, OHIO, FOR ADDITIONAL WORK FOR THE 69 SOUTH MAIN STREET BUILDING IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY**

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring

SECTION 1 That the City Manager is hereby authorized and directed to authorize additional work pursuant to the contract with Williams Brothers Builders, Inc , of Elyria, Ohio, for the 69 South Main Street Building Improvement Project in the amount of \$33,503, in accordance with the change order attached hereto and incorporated herein by reference

SECTION 2 It is hereby found and determined that all formal actions of this Council concerning or related to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121 22 of the Ohio Revised Code

SECTION 3 That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, and welfare of the citizens of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit

"to immediately authorize work which is necessary for the timely completion of an ongoing construction project," and shall take effect immediately upon passage

PASSED      1<sup>st</sup> Reading – April 16, 2007 (E)  
                  2<sup>nd</sup> Reading –  
                  3<sup>rd</sup> Reading –

ATTEST

  
\_\_\_\_\_  
Sheri Haury  
INTERIM CLERK OF COUNCIL

  
\_\_\_\_\_  
Daniel Gardner  
PRESIDENT OF COUNCIL

POSTED April 17, 2007

EFFECTIVE DATE April 17, 2007

s /ORD07-41 ChangeOrder 69S Main St

# City of Oberlin

85 South Main St Oberlin, OH 44074

## Public Works Department

April 12, 2007

TO Gary Boyle, Interim City Manager

FROM Jeff Baumann, Public Works Director *Jeff*

RE Williams Brothers Builders – Proposed Contract Change Order  
Elevator and Related Improvements at 69 South Main St

First of all, Lorain County Community Development Director Ron Twining confirmed in the last week of March that the extension request for the use of CDBG Formula Allocation funds was approved in writing by the State. Mr Twining informed me that, as a result, invoice(s) could be submitted to the County to pay up to \$50,000 of the cost of this project with the CDBG funds. An invoice for \$50,000 of reimbursable expenses was sent last week and it has now been paid by the County.

Secondly, I received an e-mail from Williams Brothers Builders Project Manager Jon Traut, forwarded from Schindler Elevator, indicating that delivery of the elevator has been pushed back two weeks from the estimated delivery date of April 16<sup>th</sup> to April 30<sup>th</sup>. With the exception of elevator installation and detailing at the 1<sup>st</sup> and 2<sup>nd</sup> floor openings, all other work is expected to be complete well before the end of the month. Planning and Engineering staff are in the process of relocated to their new and/or remodeled spaces.

Thirdly, at the recommendation of the architect, Gary Fischer and in order to ensure project costs within the available budget, exterior masonry work proposed for 69 South Main St was bid as an alternate. The scope of work, per the plans, is

“Repair, tuck point and clean existing brick and stone veneer and details throughout as follows. Remove any misc unused hooks, anchors, etc. Repair or replace any damaged or missing brick or stone. Tuck point all brick and stone joints throughout as required to secure all and achieve a level constant appearance. Detergent clean all. Do not sand blast.”

This alternate was not recommended by staff when Council awarded the contract to Williams Brothers Builders because it would have exceeded the funding allocation available in 2006. Funds can be made available in 2007 via a line item transfer followed up with a budget adjustment to adjust appropriations accordingly.

The proposed work would increase the weather-resistance and durability of the building in addition to enhancing its appearance. The most significant cracking is seen in the mortar joints on the one-story addition at the back of the building and in some of the parapet walls at the roof.

The scope of work has been presented to the Historic Preservation Commission, following their discussion with Mr Fischer, they moved to approve the exterior masonry work The Design Review Board and the Planning Commission subsequently approved this work as well

I have attached a table showing the original bids I've included a "Total less (alternate) #3" tabulation to show that not accepting the alternate at the time of the original award has no effect on the lowest bidder Alternate #3 is excluded from the calculation since it is bid on a unit basis

	<b>Williams Brothers</b>	<b>SM Fox Construction</b>	<b>Roetzel Construction</b>
<b>Base Bid</b>	\$182,000	\$233,310	\$236,700
<b>Alternate #1 Windows</b>	\$5,000	\$9,600	\$12,350
<b>Alternate #2 Masonry</b>	\$31,775	\$13,700	\$32,800
<b>Alternate #3 Walls</b>	\$39 85/ln ft , exterior \$32 86/ln ft , interior \$4,200 sills and returns	\$49 50/ln ft	\$72 00/ln ft
<b>Total less #3</b>	<b>\$218,775</b>	<b>\$256,610</b>	<b>\$281,850</b>

This shows that the Williams Brothers Builders bid is the lowest irrespective of the selection of alternates SM Fox has bid a significantly lower price for the scope of work in Alternate #2 However, the Roetzel Construction price for Alternate #2 is comparable to the Williams Brothers price This suggests that SM Fox had very different (and lower) expectations of the work involved

Williams Brothers has indicated their willingness to do this additional work at the price they bid last winter, \$31,775 They estimate it would take 4 to 6 weeks to complete, weather permitting If Council is willing this seems an opportune time to complete the exterior upgrade of this building As you know all doors and windows have been or will be replaced (3<sup>rd</sup> floor windows pending), in the last ten years The roof was replaced in 2001 Masonry repair and preventative maintenance is the last major item to address on the exterior of the building

Williams Brothers has also indicated the necessity for additional electrical work not previously anticipated The electrical sub-contractor discovered two hidden junction boxes in the course of work To meet the National Electric Code, these circuits had to be re-worked The cost of the additional work is \$1,728 A narrative description sent from South Shore Electric to Williams Brothers and forwarded to me is attached

Staff recommends these two items in the total amount of \$33,503 If Council is amenable, passage on emergency may allow for the exterior work to be completed prior to the Memorial Day weekend

If there are any questions, please let me know

**From:** Jon Traut [jrt@williamsbrothersbuilders.com]

**Sent:** Thursday, April 12, 2007 1:37 PM

**To:** Gary Fischer, JEFF BAUMANN

**Subject:** Fw: 69s main st

Gary and Jeff,

This is a brief description of the "buried" electrical that nobody could have anticipated. Please call with any questions or concerns.

Jon Traut

Williams Brothers Builders

----- Original Message -----

**From:** Jason R. Wynne

**To:** 'Jon Traut'

**Sent:** Thursday, April 12, 2007 11:49 AM

**Subject:** RE: 69s main st

Jon,

During construction of the elevator shaft, a buried electrical box was found. We reworked the wiring associated with the buried box. The wiring from the buried box in the elevator shaft went into a second room that we had no work in. This wiring went to a second buried box. The following wiring had to be reworked: 1) Re-feed lighting circuits, 2) Re-feed outlets, 3) Re-feed light switch. The wiring had to be reworked to meet the National Electrical Code. WBB also had to repair some of the plaster/drywall. If there are any further questions, please call so I can further assist.

Sincerely,  
Jason Wynne

**South Shore Electric, Inc**

589 Ternes Ave

Elyria, Ohio 44036

Phone (440) 366-6289

Fax (440) 366-6940

Email [jasonwynne@verizon.net](mailto:jasonwynne@verizon.net)

Visit our website at [southshoreelectricinc.com](http://southshoreelectricinc.com)

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**From:** Jon Traut [mailto:jrt@williamsbrothersbuilders.com]

**Sent:** Thursday, April 12, 2007 9:37 AM

**To:** Jason R. Wynne

**Subject:** 69s main st

Jason,

Still in need of details for work that compensation has been requested.

Jon Traut

Williams Brothers Builders