



## CITY OF PATASKALA

### RESOLUTION 2020-082

Passed December 21, 2020

**A RESOLUTION AMENDING RESOLUTION 2020-040 TO INCREASE THE CONTRACT AMOUNT, WITH KIRK BROTHERS COMPANY INC. BY NINETY-FIVE THOUSAND FOUR HUNDRED SEVENTY DOLLARS AND NO CENTS, TO COVER ANY CONTINGENCY EXPENSES**

***WHEREAS***, with Resolution 2020-040, adopted on May 4, 2020, Council for the City of Pataskala authorized the City Administrator to accept the bid of, and execute a contract with, Kirk Brothers Company, Inc. for construction services of the WRF Phosphorous Reduction Improvements Project, with the total project amount not to exceed \$1,183,000.00; and

***WHEREAS***, while the loan that the City of Pataskala obtained from the Ohio EPA Water Pollution Control Loan Fund included a \$95,470.00 contingency amount, the contract price authorized in Resolution 2020-040 did not include any contingency amount; and

***WHEREAS***, Kirk Brothers Company, Inc. has come across some unforeseen issues during excavation that require additional money be spent from the loan's contingency amount. While this additional work will not cost \$95,470.00, the City Administration would like the Kirk Brothers Company, Inc.'s contract amount to coincide with the loan amount because this will eliminate the need for Council to approve any other necessary change order expenses; and

***WHEREAS***, because Resolution 2020-040 did not include any contingency amount, Council for the City of Pataskala now must amend Resolution 2020-040. The approval of this Resolution would amend the contract amount approved in Resolution 2020-040 by adding Ninety-Five Thousand Four Hundred Seventy Dollars and No Cents (\$95,470.00).

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:**

**Section 1:** Resolution 2020-040 is hereby amended to increase the originally approved contract with Kirk Brothers Company, Inc, for construction services of the WRF Phosphorous Reduction Improvements Project, from an amount not to exceed \$1,183,000.00 to an amount not to exceed \$1,278,470.00.

**Section 2:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision making bodies of the City of Pataskala

which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.


Section 3: This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

**ATTEST:**

  
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Kathy M. Hoskinson, Clerk

  
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Michael W. Compton, Mayor

**APPROVED AS TO FORM:**

  
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Brian M. Zets, Law Director