



City of Pataskala *Legislative Report to Council*

Legislative Report

December 21, 2020 Special Council Meeting

New Business

- A. Ordinances
- B. Resolutions

➤ **RESOLUTION 2020-082 – 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**

The City of Pataskala is currently in the middle of a Water Reclamation Facility plant upgrade. This upgrade is being funded utilizing a “0%” interest loan from the Ohio Water Development Authority. Approval to access this loan was achieved through the passage of Resolution 2019-051. This included the costs for the Kirk Brothers contract price (\$1,183,000.00), Design and Planning loan payoff (\$129,360.00), Construction Administration/ Construction Inspection services (\$92,170), and Contingencies (\$95,470) for a total of \$1,500,000.00.

Resolution 2020-040 was approved by Council in June of 2020. It authorized the City to accept the contract bid from Kirk Brothers. That resolution, however, did not include any of the Contingency amount. This means that any change order that will add money to the contract price with Kirk Brothers will have to be approved by Council, regardless of the dollar amount. We have now identified a situation in the construction process that may lead to incurring costs via a change order. In order to more efficiently manage the project and to enable the administration to quickly approve any necessary change order requests, we are asking for authorization to add the entire Contingency amount as a “not to exceed” number to the Kirk Brothers contract amount.

It should be pointed out, that due to a year that did not see wastewater pumps fail and a few savings seen throughout 2020, we have identified and encumbered \$88,000 of the \$95,470 contingency amount out of the 2020 budget. This means that only \$7,470 of the contingency amount will impact the departmental budget in 2021, if it is needed.

I recommend approval of Resolution 2020-082.