

**CITY OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2023-12**

A RESOLUTION APPROVING AND AUTHORIZING MAYOR AND FISCAL OFFICER TO EXECUTE AMENDMENT #2 TO AGREEMENT WITH MCGILL SMITH PUNSHON INC. FOR THE MASON-MORROW-MILLGROVE ROAD WATERLINE EXTENSION PROJECT, AND DECLARING AN EMERGENCY

WHEREAS, on January 21st, 2021, the then-Village Council passed Resolution No. 2021-3 and entered into an agreement with McGill Smith Punshon Inc. (“Engineer”) for the design of the Mason-Morrow-Millgrove Road Waterline Extension Project in the amount of \$46,650.00; and,

WHEREAS, on March 3rd, 2022, the City Council passed Resolution No. 2022-08 and approved Amendment #1 to the Agreement with McGill Smith Punshon Inc. (“Engineer”) for the additional field location and design work on the Mason-Morrow-Millgrove Road Waterline Extension Project in the amount not to exceed \$50,050.00; and,

WHEREAS, the initial scope of the Project was to design a waterline extension from Sutton Drive along Mason-Morrow-Millgrove Road west to the City boundary; and,

WHEREAS, the inability to acquire easements and high cost of constructing the waterline in the roadway has made a connection to the Greater Cincinnati Water Works water main the more feasible option to complete this Project; and

WHEREAS, the Engineer has submitted a proposal for additional field location and design which will result in a not to exceed cost of \$77,050.00 which is a net increase of \$27,000.00 from the original contract price; and,

WHEREAS, immediate action is required to approve said amendment to ensure the design for the Project is expedited to allow for construction this year and such action is necessary in order to preserve the public peace, health, safety or welfare of the City.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of South Lebanon, at least two-thirds of all members elected thereto concurring:

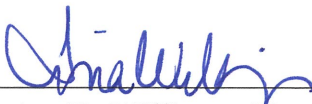
Section 1. Approve Amendment #2 with McGill Smith Punshon Inc., a copy of which is attached hereto, and further authorize the Mayor and Fiscal Officer to execute an Amendment on behalf of the City.

Section 2. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 3. That this Resolution is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Resolution shall be in full force and effective immediately upon its passage.

Section 4. That it is found and determined that all formal actions of the Council concerning and relating to passing this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 2nd day of March, 2023.

Attest: 
Petrina D. Williams, Fiscal Officer/Clerk


James D. Smith, Mayor

Rules Suspended: 3/2/2023 (if applicable)

Effective Date – 3/2/2023

Vote - 5 Yeas
_____ Nays

First Reading – / /2023
Second Reading – / /2023
Third Reading – / /2023

Effective Date – / /2023

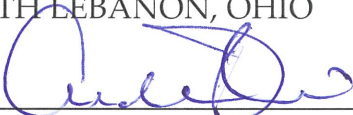
Vote - _____ Yeas
_____ Nays

Resolution 2023-12

Page 3

Prepared by and approved as to form:

ANDREW P. MEIER
CITY SOLICITOR
SOUTH LEBANON, OHIO

By:  _____

Date: 3/2/2023



ADDENDUM TO THE CONTRACT

Addendum No.: 2

Date of Addendum: January 31, 2023

Original Contract: Mason Morrow Milgrove Road

Original Contract Date: November 25, 2020

Project Number: 06308.19

The following services requested by the CLIENT are in addition to the services as described in the base agreement for services as described above.

1. Services to be Provided:

- 1.1. Redesign of project into roadway based on City's direction.
1.2. Addition of Greater Cincinnati Waterworks Master Meter design and tie into system.

2. Compensation

- 2.1. Fees for services as described above:
2.1.1. Twenty-seven thousand dollars (\$27,000.00).

3. The above-described additional services and fees in this addendum are part of the original contract for professional services as described above. All conditions of the original contract shall apply in full to conditions of this addendum unless specifically designated otherwise.

McGill Smith Punshon, Inc.

City of South Lebanon

CLIENT

By: [Signature of Robert DeWitt]

By: [Signature of James D. Smith]

Title: Executive Vice President

Title: James D. Smith, Mayor

Date: January 31, 2023

Date: 3/2/2023

06308193-CLI-ADM-Change Order 2

Approved as to form: ANDREW P. MEIER CITY SOLICITOR SOUTH LEBANON, OHIO

By: [Signature of Andrew P. Meier] Date: 3/2/2023