

BY: JOHN B. SHEPHERD

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR AND THE DIRECTOR OF PUBLIC SAFETY SERVICE TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH FABRIZI TRUCKING & PAVING COMPANY, INC. FOR THE EMERGENCY REPAIR OF STREETS AND STORM AND SANITARY SEWERS WITHIN THE CITY OF ROCKY RIVER AND THE WASTE WATER TREATMENT PLANT AT A COST NOT TO EXCEED \$325,000.00 AS FURTHER DESCRIBED IN EXHIBIT "A"

WHEREAS: as detailed in Ordinance 16-23 the City entered into a contract with Fabrizi Trucking & Paving Company for emergency repair of streets and storm and sanitary sewers for the City of Rocky River and the Waste Water Treatment Plant in an amount not to exceed One Hundred Seventy Five Thousand Dollars and 00/100 (\$175,000.00); and

WHEREAS: due to the significant increase in pricing for sewer repairs and infrastructure conditions that were undetectable, emergency sewer and street repairs have caused the need to supplement the agreement with Fabrizi Trucking and Paving for 2023 in an amount not to exceed Three Hundred Twenty Five Thousand Dollars and 00/100 (\$325,000.00), as further described in Exhibit "A".

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROCKY RIVER, COUNTY OF CUYAHOGA, STATE OF OHIO:

SECTION 1. That the Mayor and the Director of Public Safety Service are hereby authorized to supplement the agreement with Fabrizi Trucking & Paving Company, Inc., 20389 First Avenue, Middleburg Hts., OH, 44130, for the emergency repair of streets and storm and sanitary sewers for 2023 at a total net cost not to exceed Five Hundred Thousand Dollars and 00/100 (\$500,000.00), as further described in Exhibit "A".

SECTION 2. That funds for the payment of said services shall be paid from the Capital Improvement Fund-Emergency Sewer Repair Account and the WWTP Utility Fund.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of public peace, health and safety, and provided it receives the affirmative vote of two-thirds (2/3) of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: September 25, 2023

James W. Moran
JAMES W. MORAN
President of Council

PRESENTED
TO MAYOR: September 25, 2023

APPROVED: September 25, 2023

ATTEST:

Mary Ellen Umerley
MARY ELLEN UMERLEY
Acting Clerk of Council

Pamela E. Bobst
PAMELA E. BOBST
Mayor

It is hereby certified that the amount required for the execution of this Ordinance has been lawfully appropriated or authorized or directed for such purpose and is in the treasury or in the process of collection to the credit of the fund described herein free from any obligation or certification now outstanding.

Michael Thomas
MICHAEL THOMAS, CPA
Director of Finance

I, the undersigned clerk of council of the city of Rocky River, State of Ohio, do hereby certify that publication of the foregoing ordinance was duly made by posting a true copy thereof in the lobby of the Rocky River City Hall, in accordance with the charter of Rocky River, commencing on the 25th day of September, 2023.

Mary Ellen Umerley
Clerk of Council of the City of Rocky River, Ohio

Nakonek/S/Ordinances & Resolutions/2023 Ordinances/Supplemental Agreement for
Emergency Repair of Streets, Storm & Sanitary Sewers

City of Rocky River } ss
County of Cuyahoga }

THE UNDERSIGNED CLERK OF THE COUNCIL OF THE CITY OF ROCKY RIVER, OHIO DOES HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND CORRECT COPY OF ORDINANCE NO. 77-23 ADOPTED BY THE COUNCIL OF SAID CITY ON THE 25 DAY OF September, 2023 THAT THE PUBLICATION OF SUCH ORDINANCE HAS BEEN MADE AND CERTIFIED OF RECORD ACCORDING TO LAW, THAT NO PROCEEDINGS LOOKING TO A REFERENDUM UPON SUCH ORDINANCE HAVE BEEN TAKEN; THAT SUCH ORDINANCE AND THE CERTIFICATE OF PUBLICATION THEREOF, ARE OF RECORD IN ORDINANCE RECORD NO. 77-23

IN WITNESS WHEREOF, I HAVE HEREUNTO SUBSCRIBED MY NAME AND AFFIXED MY OFFICIAL SEAL THIS 25 DAY OF September, 2023.

Mary Ellen Amerley
CLERK OF COUNCIL OF THE CITY OF ROCKY RIVER, OHIO



MEMO

TO: Mayor Pamela Bobst CC: Michael Thomas

FROM: Rich Snyder

Date: September 7, 2023

RE: Emergency Sewer Contract Authorization Amendment

Mayor Bobst,

On March 27, 2023, City Council authorized the administration to enter a contract with Fabrizi Trucking and Paving, Inc. for emergency sewer repairs to be implemented throughout the City and at the Wastewater Treatment Plant with Ordinance 16-23. That contract was not to exceed \$175,000.00. Per the terms of the new contract, the cost of repairs increased significantly compared to the prior rates from the 2011 bid. To date in 2023, the City has used Fabrizi Trucking and Paving, Inc. for five (5) emergency sewer repairs deemed immediate need, and/or outside the capacity of our Sewer Maintenance Division, including:

- \$7,330.50 (Elmwood/Kenwood)
- \$19,468.00 (Wooster Rd)
- \$67,290.00 (Service Garage Sanitary Sewer)
- \$64,950.00 (Hilliard/Westway)
- \$244,049.00 (Center Ridge Rd)

Total: \$403,087.50

I request authorization for an additional \$325,000.00 to increase the authorization amount with Fabrizi Trucking and Paving, Inc. for emergency sewer repair to \$500,000. The added funds would include a supplemental appropriations request of \$100,000 with the remaining funds previously appropriated to the Capital Improvement Fund.

Rich Snyder

A handwritten signature in black ink, appearing to read "Rich Snyder".

Director of Public Safety Service
City of Rocky River