

RECORD OF ORDINANCES

Resolution No. 2022-64

Passed OCTOBER 19, 2022

SPONSOR: PARKS COMMITTEE

RESOLUTION AUTHORIZING THE MAYOR AND/OR HIS DESIGNEE TO ENTER INTO A CHANGE ORDER WITH CEMENTECH, INC. FOR THE LIONS PARK PICKLE BALL COURT RECONSTRUCTION PROJECT; AND DECLARING AN EMERGENCY.

WHEREAS, upon the recommendation of the Village Engineer, Council previously found necessary and accepted the bid from Cementech, Inc. for supplying labor, equipment, and materials necessary for the Lions Park Pickle Ball Court Reconstruction Project in the amount of \$302,410.00; and,

WHEREAS, Cementech, Inc. has issued a Change Order for the additional amount of \$114,867.58; and,

WHEREAS, the Village Engineer has reviewed the Change Order and finds it is reasonable and necessary; and,

NOW, THEREFORE BE IT RESOLVED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: The Mayor, Clerk-Treasurer, and/or Village Engineer are hereby authorized to execute any and all paperwork and do all things necessary to approve and implement the aforesaid additional change order for labor, equipment, and materials with Cementech, Inc. for the Lions Park Pickle Ball Court Reconstruction Project.

SECTION 2: That, to the extent not already done so, the funds required for the payment of the obligations incurred are hereby appropriated for the purposes described.

SECTION 3: It is hereby determined necessary, proper, and in the best interests of the Village of Mogadore and its residents that the Village of Mogadore enter into the change order with Cementech, Inc. for the Lions Park Pickle Ball Court Reconstruction Project.

SECTION 4: That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

SECTION 5: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

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SECTION 6: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety and to allow for the timely activation of Cementech, Inc. on the additional need in order to complete the project during good weather, and for continued operations of the Village Engineer's office and other departments and shall, therefore, take effect and be in force from and immediately after its passage.

Michael R. ... 10-18-22
President Council Date

Michael ... 10-19-22
Mayor Date

Attest:
[Signature]
Clerk-Treasurer

APPLICATION AND CERTIFICATION FOR CONTRACT PAYMENT
 VILLAGE OF MOGADORE

PROJECT: VILLAGE OF
 PICKLEBALL COURT

APPLICATION #: 1
 FIN N
 PE 10/04/2022

FROM: CEMENTECH INC.
 1680 SOUTHEAST AVE.
 TALLMADGE, OHIO 44278
 330-628-5405 FAX: 330-628-5830

IN 1

ENG PROJ NO:
 FIN PROJ NO:

CONTRACT NO:

NO. CHANGE ORDER SUMMARY
 CO # 1 UNSUITABLE SOILS \$61,012.44
 CO # 2 SCHOOL DELAYS \$3,074.64
 CO # 3 FENCE COATING \$18,280.50
 CO # 4 STORM SEWER \$32,500.00

CONTRACT COST SUMMARY
 1. ORIGINAL CONTRACT SUM \$ 302,410.00
 2. NET CHANGE BY C.O \$ 114,867.58
 3. CONTRACT SUM TO DATE \$ 417,277.58
 4. TOTAL COMPLETED TO DATE \$ 0.00
 5. a. 10% of completed work \$ 0.00
 6. TOTAL EARNED LESS \$ 0.00
 7. LESS \$ 0.00
 8. CURRENT PAYMENT DUE \$ 0.00
 9. BAL TO FINISH, PLUS RETING \$ 0.00
 10. CURRENT PAYMENT DUE \$ 0.00

Contractor Signature

Date: _____

Engineer Signature

Date: _____

NO	ITEM	DESCRIPTION	UNIT MEASURE	QUANT TITY	TOTAL UNIT COST	TOTAL COST	THIS APPLICATION	PREVIOUS APP	THIS APP	MATE STORED AND	STORED TO DATE
1	SPCL	PRECONSTRUCTION VIDEO	LS	1	\$ 500.00	\$ 500.00	1.00	\$ 0.00	\$ 500.00	\$ -	\$ 500.00
2	203	EXCAVATION & EMBANKMENT	LS	1	\$ 40,000.00	\$ 40,000.00	1.00	\$ 0.00	\$ 40,000.00	\$ -	\$ 40,000.00
3	204	SUBGRADE COMPACTION	SY	2060	\$ 0.50	\$ 1,030.00	2060.00	\$ 0.00	\$ 1,030.00	\$ -	\$ 1,030.00
4	301	ASPHALT CONCRETE BASE	CY	150	\$ 285.00	\$ 39,750.00	114.50	\$ 0.00	\$ 30,342.50	\$ -	\$ 30,342.50
5	304	AGGREGATE BASE	CY	360	\$ 100.00	\$ 36,000.00	360.00	\$ 0.00	\$ 36,000.00	\$ -	\$ 36,000.00
6	407	TACK COAT	GAL	210	\$ 6.00	\$ 1,260.00	200.00	\$ 0.00	\$ 1,200.00	\$ -	\$ 1,200.00
7	441	ASPHALT CONCRETE SURFACE	CY	90	\$ 328.00	\$ 29,520.00	95.50	\$ 0.00	\$ 31,324.00	\$ -	\$ 31,324.00
8	605	4" UNDERDRAIN WITH FILTER FABRIC	LF	460	\$ 20.00	\$ 9,200.00	550.00	\$ 0.00	\$ 11,000.00	\$ -	\$ 11,000.00
9	605	4" CONDUIT TYPE F	LF	15	\$ 30.00	\$ 450.00	15.00	\$ 0.00	\$ 450.00	\$ -	\$ 450.00
10	607	120" FENCE, TYPE CLT, AS PER PLAN	LF	680	\$ 70.00	\$ 47,600.00	683.00	\$ 0.00	\$ 47,810.00	\$ -	\$ 47,810.00
11	607	120" FENCE, TYPE CLT, AS PER PLAN	EA	2	\$ 2000.00	\$ 4,000.00	3.00	\$ 0.00	\$ 6,000.00	\$ -	\$ 6,000.00
12	608	CONCRETE WALK	SF	920	\$ 10.00	\$ 9,200.00	1300.00	\$ 0.00	\$ 13,000.00	\$ -	\$ 13,000.00
13	617	COMPACTED AGGREGATE	CY	12	\$ 150.00	\$ 1,800.00	12.00	\$ 0.00	\$ 1,800.00	\$ -	\$ 1,800.00
14	642	COURT PAINTING AND STRIPING	LS	1	\$ 40000.00	\$ 40,000.00	1.00	\$ 0.00	\$ 40,000.00	\$ -	\$ 40,000.00
15	SPCL	POST FOOTER AND HOOP	LS	4	\$ 5500.00	\$ 22,000.00	4.00	\$ 0.00	\$ 22,000.00	\$ -	\$ 22,000.00
16	SPCL	POST FOOTER AND NET	LS	2	\$ 3,500.00	\$ 7,000.00	2.00	\$ 0.00	\$ 7,000.00	\$ -	\$ 7,000.00
17	SPCL	CONTINGENCY ALLOWANCE	LS	1	\$ 13,100.00	\$ 13,100.00	0.00	\$ 0.00	\$ 0.00	\$ -	\$ 0.00
						\$ 302,410.00				\$ 288,466.50	
	CO#1	UNSUITABLE SOILS	CY	1	\$ 61012.44	\$ 61,528.44	1.00		\$ 61,012.44		\$ 61,012.44
	CO#2	SCHOOL DELAYS	LS	1	\$ 3074.64	\$ 3,074.64	1.00		\$ 3,074.64		\$ 3,074.64
	CO#3	FENCE COATING	LS	1	\$ 18280.50	\$ 18,280.50	1.00		\$ 18,280.50		\$ 18,280.50
	CO#4	STORM SEWER	LS	1	\$ 32500.00	\$ 32,500.00	1.00		\$ 32,500.00		\$ 32,500.00
						\$ 115,383.58					\$ 114,867.58



CEMENTECH, INC.

1680 Southeast Avenue
 Tallmadge, OH 44278
 Phone: (330) 62 Fax: (330) 628-5830

CO #1

Date: _____

TIME AND MATERIAL PRICING

Project Name: Mogadore Pickleball Ct
 Contractor: Cementech, Inc.
 Owner: Village of Mogadore

Description: _____
 County: Summit
Undercut and Install Geogrid and #304 Limestone

A. LABOR: (straight time only)

worker classification	labor	hours	x	rate =	
	finisher	0	x	\$59.19	
	brick layer	0	x	\$0.00	
	foreman	0	x	\$74.29	
	operator	0	x	\$74.29	
	truck driver	0	x	\$0.00	

TOTALS	Payroll Taxes		total
		%	
\$0.00	FUTA		
\$0.00	SUTA		
\$0.00	medicare	1.45%	\$0.00
\$0.00	social security	6.20%	\$0.00
\$0.00	workers comp	17.58%	\$0.00
\$0.00			
	Total		\$ -

total labor \$0.00
 payroll taxes \$ -

B. OWNED EQUIPMENT (Heavy/specialized equipment)

	hour, day, week	x	rate =	
314 Excavator hr	0	x	\$106.00

Total Equipment hour, day, week x rate = \$0.00

Subtotal (A,B): \$0.00

C. MATERIALS

	quantity	x	unit cost	
TX 160 Geogrid each	2.50	x	\$2,636.50	\$6,591.25
304 limestone cy	319	x	\$100.00	\$31,900.00

Subtotal (C): \$38,491.25

D. MATERIAL MARKUP 15% (on items C)
 Subtotal (D): \$5,773.69
 Subtotal (A thru D): \$44,264.94

E. SUBCONTRACTOR

Excavation	cy	319	x	\$50.00	\$15,950.00
	lump	0	x	\$0.00	\$0.00
	lump	0	x	\$0.00	\$0.00
	lump	0	x	\$0.00	\$0.00

(reasonable cost for all labor & material)
 Subtotal (E): \$15,950.00

..... 5%
 Subtotal (F): \$797.50

F. SUBCONTRACTOR MARKUP (markup is = or < 10%)
 Subtotal (E and F): \$16,747.50

TOTAL COST: \$61,012.44



CEMENTECH, INC.

1680 Southeast Avenue
 Tallmadge, OH 44278
 Phone: (330) 628-6200 Fax: (330) 628-5830

CO #2

Date: _____

TIME AND MATERIAL PRICING

Project Name: Mogadore Pickleball Ct
 Contractor: Cementech, Inc.
 Owner: Village of Mogadore

Description: County: Summit
Delay Due to School Traffic at Park
45 minutes in morning and 45 minutes in afternoon
during excavation and undercuts 4 days

A. **LABOR:** (straight time only)

worker classification	labor	hours	x	rate =	
		<u>6</u>	x	\$59.19	
	finisher	<u>0</u>	x	\$0.00	
	brick layer	<u>0</u>	x	\$0.00	
	foreman	<u>6</u>	x	\$74.29	
	operator	<u>6</u>	x	\$74.29	
	truck driver	<u>0</u>	x	\$0.00	

TOTALS		Payroll Taxes	
		%	total
\$355.14	FUTA		
\$0.00	SUTA		
\$0.00	medicare	1.45%	\$18.08
\$445.74	social security	6.20%	\$77.29
\$445.74	workers comp	17.58%	\$219.16
\$0.00			
	Total		\$314.52

total labor \$1,246.62
 payroll taxes \$ 314.52

(Heavy/specialized equipment)

B. **OWNED EQUIPMENT**

	hour, day, week	x	rate =	
314 Excavator	0 hr	x	\$106.00	\$0.00
305 volvo excavator	0 hr	x	\$180.00	\$0.00
308 Excavator	6 hr	x	\$86.00	\$516.00
Dump Truck	10.5 hr	x	\$95.00	\$997.50
MH Box	0 day	x	\$170.00	\$0.00
Stone Box	0 day	x	\$165.00	\$0.00
Trench Box 8x20	0 day	x	\$235.00	\$0.00
6" Pump & Hoses	0 wk	x	\$2,250.00	\$0.00
Generator & Hammer	0 day	x	\$100.00	\$0.00

Total Equipment hour, day, week x rate = \$1,513.50

Subtotal (A,B): \$3,074.64

C. **MATERIALS**

	quantity	x	unit cost	
304 limestone	0 ton	x	\$22.00	\$0.00
15" bands	0 each	x	\$0.00	\$0.00

Subtotal (C): \$0.00

D. **MATERIAL MARKUP**
 15% (on items C) Subtotal (D): \$0.00

Subtotal (A thru D): \$3,074.64

E. **SUBCONTRACTOR**

lump	0	x	\$450.00	\$0.00
lump	0	x	\$0.00	\$0.00
lump	0	x	\$0.00	\$0.00
lump	0	x	\$0.00	\$0.00

(reasonable cost for all labor & material)

Subtotal (E): \$0.00

F. **SUBCONTRACTOR MARKUP**
 (markup is = or < 10%) 5% Subtotal (F): \$0.00

Subtotal (E and F): \$0.00

TOTAL COST : \$3,074.64



CEMENTECH, INC.

1680 Southeast Avenue
 Tallmadge, OH 44278
 Phone: (330) 62 Fax: (330) 628-5830

Date: _____

TIME AND MATERIAL PRICING

County: Summit

Project Name: Mogadore Pickleball Ct
 Contractor: Cementech, Inc.
 Owner: Village of Mogadore

Description: Fence and Gate Vinyl Coating

A. LABOR: (straight time only)

worker classification	labor	hours	x	rate =	
	finisher	0	x	\$59.19	
	brick layer	0	x	\$0.00	
	foreman	0	x	\$74.29	
	operator	0	x	\$74.29	
	truck driver	0	x	\$0.00	

hours x rate =

hours x rate =

total labor \$0.00

payroll taxes \$ -

(Heavy/specialized equipment)

B. OWNED EQUIPMENT

	hour,day,week	x	rate =	
314 Excavator	0	x	\$106.00	\$0.00
Generator & Hammer	0	x	\$100.00	\$0.00
Total Equipment				\$0.00

Subtotal (A,B):

C. MATERIALS

	quantity	x	unit cost	
48" MH each	0	x	\$861.00	\$0.00
304 limestone ton	0	x	\$22.00	\$0.00
15" bands each	0	x	\$0.00	\$0.00
Subtotal (C):				\$0.00

D. MATERIAL MARKUP

15% (on items C) **Subtotal (D):** \$0.00

Subtotal (A thru D): \$0.00

E. SUBCONTRACTOR

fence coating	lf	683	x	\$20.00	\$13,660.00
gate coating	ea	3	x	\$1,250.00	\$3,750.00
	lump	0	x	\$0.00	\$0.00
	lump	0	x	\$0.00	\$0.00

(reasonable cost for all labor & material)

Subtotal (E): \$17,410.00

..... 5% **Subtotal (F):** \$870.50

F. SUBCONTRACTOR MARKUP

(markup is = or < 10%) **Subtotal (E and F):** \$18,280.50

TOTAL COST : \$18,280.50

TOTALS	Payroll Taxes		
		%	total
\$0.00	FUTA		
\$0.00	SUTA		
\$0.00	medicare	1.45%	\$0.00
\$0.00	social security	6.20%	\$0.00
\$0.00	workers comp	17.58%	\$0.00
\$0.00			
	Total		\$ -

**CEMENTECH, INC.**

1680 Southeast Avenue
 Tallmadge, OH 44278
 Phone: (330) 628-5404 Fax: (330) 628-5830

15" Storm Swer

Proposal No.	09282022-1
Sheet No.	1
Date:	9/28/2022

PROPOSAL SUBMITTED TO: Matt	
Name:	Village of Mogadore
Address:	135 S Cleveland Ave Mogadore, Ohio
PHONE:	
FAX:	
EMAIL:	mglass@qpdgroup.com

PROPOSAL FOR:
Installation of CBs and 15" Storm

We hereby propose to Perform and Install Storm Sewer and CBs

Pricing includes any of the following items:

- Installation of approx 320 lf of 15' N12 Pipe
- Installation of 1 double 2x2x3 and 2 2x2x3
- includes known blind connections
- Includes Seeding
- Includes mobilization

TOTAL **\$32,500.00**

Pricing excludes any of the following items:

- any grading or seeding outside limits of the pipe
- any material not listed above
- any equipment not listed above
- any dewatering or rock excavation
- any road repair
- any dewatering
- unsuitable soil
- winter conditions
- testing
- layout
- scheduling
- any traffic control

All material is guaranteed to be as specified and in accordance with the drawings and specifications submitted for the above mentioned project

with payments to be as follows: net thirty days upon receipt of invoices

Any alterations or deviation from above, specifications involving extra costs will be executed only upon written order and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond our control.

Respectfully submitted _____

Past due accounts carry a service charge of 1.5% per month (18% A.P.R.)
 In the event that buyer fails to make full payment, Cementech, Inc. shall be entitled to reasonable attorney's fees and cost of collection.

Date: _____ Signature _____
 _____ Signature _____