

RESOLUTION NO.: 2020-R44
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: MAY 12, 2020

ASSIGNED TO: _____

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO AN ADDITIONAL CONTRACT WITH BURGESS & NIPLE, INC. FOR PROFESSIONAL ENGINEERING SERVICES FOR THE MASSILLON ROAD NORTH IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, by Resolutions 2013-R13, 2015-R15, 2016-R75, and 2018-R42, Green City Council approved a Contract (“Contract”) and three subsequent modifications to the Contract with Burgess & Niple, Inc., for Professional Engineering Services for the Massillon Road North Improvement Project (“Project”); and

WHEREAS, the Contract approved by City Council via Resolution 2013-R13, contained a clause establishing a total maximum prime compensation of Four Hundred Forty-One Thousand Five Hundred Seventy-One Dollars (\$441,571.00) for Stage 1 of the Project; and

WHEREAS, the Contract modification (“Modification No. 1”) approved by City Council via Resolution 2015-R15, increased the Contract by Nine Hundred Sixty-Four Thousand Nine Hundred Twenty-Nine Dollars (\$964,929.00) for Stage 2 design of the Project; and

WHEREAS, the Contract modification (“Modification No. 2”) approved by City Council via Resolution 2016-R75, increased the Contract by Eight Hundred Forty-Five Thousand Nine Hundred Ninety-Five Dollars (\$845,995.00) for Final design of the Project; and

WHEREAS, the Contract modification (“Modification No. 3”) approved by City Council via Resolution 2018-R42, increased the Contract by Five Hundred Thirty-Seven Thousand One Hundred Sixty-Nine Dollars (\$537,169.00) for right-of-way acquisition services and final engineering; and

WHEREAS, the City of Green has been working closely with Burgess & Niple, Inc., and the Ohio Department of Transportation to plan the Massillon Road North Improvement Project; and

WHEREAS, City desires to once again modify the Contract with Burgess & Niple, Inc., for Professional Engineering Services for additional engineering services during the bidding phase; and, additional engineering services during the construction phase, the addition of three traffic cameras, the extension of Stein Road to the east, including the cul-de-sac bubble, and the reconfiguration of the RJS drive and preparation of lot split drawings to accommodate the drive; thus, increasing the Contract modification (“Modification No. 4”) by an additional Thirty-Two Thousand Seven Hundred Sixteen Dollars (\$32,716.00); and

WHEREAS, it is necessary for City Council to approve this Modification No. 4 to the Contract for an expanded scope of work.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

Green City Council authorizes the Mayor to enter into the Amended Contract, Modification No. 4, a copy of which is attached hereto and incorporated herein as Exhibit "A", for additional engineering services during the bidding phase, additional engineering services during the construction phase, the addition of three traffic cameras, the extension of Stein Road to the east including the cul-de-sac bubble, and the reconfiguration of the RJS drive and preparation of lot split drawings to accommodate the drive.

SECTION TWO:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION THREE:

Green City Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green. It is necessary to immediately proceed with the additional work by Burgess & Niple, Inc., to ensure that the Project can be timely commenced and timely completed. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed 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 at the earliest time allowed by law.

ADOPTED: _____

Molly Kapeluck, Clerk

Barbara Babbitt, Council President

APPROVED: _____, 2020

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2020

ON ROLL CALL:	Babbitt	Brandenburg	DeVitis	France
	Shaughnessy	Yeargin	Young	

Suburbanite publication on _____ and _____

Molly Kapeluck, Clerk of Council