

RESOLUTION NO.: 2020-R73
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: SEPTEMBER 22, 2020 **ASSIGNED TO:** _____ **TCS**

A RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT FOR THE COMPLETION OF THE MOORE ROAD SIDEWALK PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City previously approved a contract with Spano Brothers Construction Co. for the Moore Road Sidewalk Project; and

WHEREAS, the City Engineer determined that additional work was necessary to properly complete the Project(s) which increased the cost of the Moore Road Sidewalk Project; and

WHEREAS, the City Engineer has reviewed the change order(s) and related documents submitted by Spano Brothers Construction Co., and finds them acceptable. However, the change order(s) exceed ten percent (10%) of the original contract price; and

WHEREAS, Green Codified Ordinances §210.06(e) requires Green City Council to authorize the additional payment because the alterations to the contract exceed ten percent (10%) of the original contract price.

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 approves all change orders submitted by Spano Brothers Construction for the additional work necessary to properly complete the Project. This additional payment of Eighty-Seven Thousand Seven Hundred Sixty Dollars and Sixty Cents (\$87,760.60) represents a seventeen-point one six percent (17.16%) increase over the original contract amount.

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 necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and for the further reason that public relation services are required to proceed immediately to ensure that the communications services can be timely commenced and timely completed. Provided that this legislation receives the affirmative vote of three-fourths ($\frac{3}{4}$ ths) 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: September 22, 2020

Molly Kapeluck
Molly Kapeluck, Clerk of Council

Barbara Babbitt
Barbara Babbitt, Council President

APPROVED: Sept. 23, 2020

Gerard M. Neugebauer
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: Sept. 23, 2020

ON ROLL CALL: Babbitt *-aye* Brandenburg *-aye* DeVitis *absent* France *-aye*
Shaughnessy *-aye* Yeargin *aye* Young *aye adopted 6-0*

Suburbanite publication on Oct. 2 and Oct. 9, 2020

Molly Kapeluck
Molly Kapeluck, Clerk

09/17/2020 Approved as to form and content by Lisa Carey Dean, Director of Law

Lisa Carey Dean