

**RESOLUTION NO.:** 2019-R55  
**SPONSOR:** MAYOR NEUGEBAUER  
**INTRODUCED:** JUNE 25, 2019 **ASSIGNED TO:** \_\_\_\_\_

**A RESOLUTION APPROVING A FINAL CHANGE ORDER FOR THE INCREASE IN THE LOCKHART CONCRETE CO. CONTRACT FOR THE 2018 MISC. CONCRETE REPAIRS PROJECT, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Green previously authorized Resolution 2018-R65 to enter into a contract with Lockhart Concrete Co. for the 2018 Misc. Concrete Repairs (“Project”); and

WHEREAS, the City Engineer determined that additional work was necessary to properly complete the Project which increased the final cost of the Project; and

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

WHEREAS, Green Codified Ordinances 210.06(e) requires Green City Council to authorize the additional increase because the improvements to the contract exceed ten percent (10%) of the original contract price; and

WHEREAS, an additional appropriation is necessary to pay the cost increase for the Project.

**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 Lockhart Concrete Co. for the additional work necessary to properly complete the Project. These additional improvements represent a thirteen percent (13%) increase over the original contract amount.

**SECTION TWO:**

Green City Council authorizes the Finance Director to make payment to the Lockhart Concrete Co. for these increased services provided through the established purchase order process.

**SECTION THREE:**

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 FOUR:**

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 and so that the Project may proceed immediately and forthwith. 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.

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**Resolution 2019-R55**

ADOPTED: \_\_\_\_\_

\_\_\_\_\_  
Molly Kapeluck, Clerk of Council

\_\_\_\_\_  
Bob Young, Council President

APPROVED: \_\_\_\_\_, 2019

\_\_\_\_\_  
Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: \_\_\_\_\_, 2019

ON ROLL CALL:   Babbitt                      Dyer                      Humphrey                      Shaughnessy  
                         Speight                      Yeargin                      Young

*Suburbanite* publication on \_\_\_\_\_ and \_\_\_\_\_

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Molly Kapeluck, Clerk of Council

06/20/2019 Approved as to form and content by William G. Chris, Law Director, Interim \_\_\_\_\_