

RESOLUTION NO.: 2007-R11
SPONSOR: MAYOR CROGHAN
INTRODUCED: JANUARY 9, 2007 **ASSIGNED TO:** FINANCE

A RESOLUTION AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT FOR THE LIBERTY GREEN SANITARY SEWER PROJECT PHASE I, ("PROJECT") AND DECLARING AN EMERGENCY.

WHEREAS, unexpected underground conditions and design modifications have increased the work required to complete the Project; and

WHEREAS, the contractor encountered water and soil conditions that have delayed completion of the Project requiring the installation of de-watering wells to lower the water table at the Project site, and has also encountered a significant amount of sandstone and buried concrete slabs which must be removed and replaced with good soil; and

WHEREAS, it was also necessary to change the design of the Project to lower the sewer approximately fifteen inches (15") so that a future sanitary sewer may be extended to the west past the storm culvert structure under East Turkeyfoot Lake Road; and

WHEREAS; City Council previously approved an increase in the cost of this Project by Resolution 2006-R37; and

WHEREAS, Green Codified Ordinances Section 210.06(e) requires City Council to authorize the additional payment because the final alterations to the contract exceed ten (10%) percent 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:

City Council approves the change order, increasing the costs of the contract by Twenty-five Thousand (\$25,000.00) Dollars, which exceeds ten (10%) percent of the contract price as amended by Resolution 2006-R37; and, authorizes the payment of the change orders and invoices.

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:

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. 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: Feb. 27, 2007
Molly Kapeluck
Molly Kapeluck, Clerk

R. Bruce Manwaring
R. BRUCE MANWARING
Council President

APPROVED: Feb. 27, 2007

R. Bruce Manwaring
Daniel L. Croghan, Mayor
R. BRUCE MANWARING, Acting Mayor

COPIED _____
SVCE ZONE PARK ROAD ENG
LAW (FIN) (MAY) PLAN FIRE

ENACTED EFFECTIVE: Feb. 27, 2007

ON ROLL CALL: Colopy - YEA Croce - YEA France - YEA Manwaring - YEA
Padrutt - YEA Ridgeway - YEA Smole - YEA Adopted 7-0

Suburbanite publication on MARCH 5 and MARCH 12, 2007

Molly Kapeluck
Molly Kapeluck, Clerk

1/2/2007 4:36 PM Approved as to form and content by Stephen J. Pruneski, Law Director SP 1/2/07