

RESOLUTION NO.: 2008-R08 (Amended March 11, 2008)
SPONSOR: MAYOR NORTON
INTRODUCED: JANUARY 22, 2008 **ASSIGNED TO:** FINANCE

A RESOLUTION AUTHORIZING A CHANGE ORDER FOR THE BOETTLER ROAD SIDEWALK PROJECT ("PROJECT"), AND DECLARING AN EMERGENCY.

WHEREAS, City Council previously approved and awarded a contract to BCS Contractors, Inc. for the Project in the amount of \$218,787.00;

WHEREAS, due to unforeseen circumstances, two properties adjacent to the Project required alterations of retaining walls to support the front yards of the properties; and

WHEREAS, the retaining walls and modifications to those retaining walls required relocation of a section of water main; and

WHEREAS, due to the size and configuration of the retaining walls, a stair design for one of the retaining walls required modification; and

WHEREAS, thirteen driveways within the Project area required wider curb cuts and aprons and the profiles of several of the driveways had to be raised; and

WHEREAS, additional topsoil and seeding was necessary to make the slopes in the existing yards easier to mow; and

WHEREAS, the additional changes to the Project increased the price for the Project by a total of ~~seventeen (17%) percent (or, \$37,213.00)~~ **SEVENTEEN POINT TWO (17.2%) PERCENT, OR (\$37,713.00)**; and

WHEREAS, since the increase in the contract exceeds ten (10%) percent of the original contract cost, City Council must approve the change order.

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 for the Project in the total amount of ~~Thirty-seven Thousand Two Hundred Thirteen (\$37,213.00) Dollars~~ **THIRTY-SEVEN THOUSAND SEVEN HUNDRED AND THIRTEEN (\$37,713.00) DOLLARS**, representing an increase in the contract of ~~seventeen (17%) percent~~ **SEVENTEEN POINT TWO (17.2%) PERCENT** and further approves all of the additional work covered by the change order.

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: MARCH 11, 2008

Molly Stevens
Molly Stevens, Clerk

Christine Croce
Christine Croce, Council President

APPROVED: MARCH 11, 2008

Richard G. Norton
Richard G. Norton, Mayor

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

ENACTED EFFECTIVE: MARCH 11, 2008

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

Suburbanite publication on MARCH 17 and MARCH 24, 2008

Molly Stevens
Molly Stevens, Clerk

SP 3/5/08