

ORDINANCE NO. 111-2022

**TITLE: CHANGE ORDER
NORTH BAY CONSTRUCTION, INC.**

AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$1,114,856 WITH NORTH BAY CONSTRUCTION, INC., FROM \$5,608,908 TO \$6,723,764, TO REHABILITATE 4 SLUDGE TANKS THAT HAVE FAILING WALLS AND LIDS, AND DECLARING AN EMERGENCY.

WHEREAS, \$990,000 of ARPA funds was approved by the ARPA committee to be used for the change order and the remaining balance will come from the sewer funds of the 2022 budget; and

WHEREAS, Council approved to enter into a professional services contract with North Bay Construction, Inc., on June 28, 2021 by ordinance 76-2021.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That a change order for the sum of One Million One Hundred Fourteen Thousand Eight Hundred Fifty-Six Dollars and No Cents (\$1,114,856.00), from \$5,608,908 to \$6,723,764, to rehabilitate 4 sludge tanks that have failing walls and lids.

SECTION 2. That the Director of Finance is hereby directed to draw his warrants in payment thereof.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, for the reason that it is necessary to authorize a change order for additional funds as soon as possible in order to facilitate timeliness and to keep the project moving forward, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed JULY 25, 2022

Clerk of Council

President of Council

Approved _____ 2022

Mayor