

**ORDINANCE NO. 122-2023**

**TITLE: ENTER INTO CONTRACT  
CAVANAUGH CONSTRUCTION COMPANY – UTILITY DEPARTMENT**

**AN ORDINANCE AUTHORIZING THE UTILITY DEPARTMENT TO ENTER INTO CONTRACT WITH CAVANAUGH CONSTRUCTION COMPANY IN THE AMOUNT OF \$61,897.50 FOR THE RECONSTRUCTION OF A 24” STORM SEWER 10’ DEEP THAT IS FAILING ON HOPOCAN AVENUE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, a steel roadway plate is currently covering a developing sink hole as a result of the failing storm sewer. The project will excavate and replace the failing sewer, a manhole, reconnect inlets, and repair the roadway that is failing; and,

**WHEREAS**, the contractor was selected through competitive pricing received from four qualified contractors and \$61,897.50 was awarded at Board of Control August 15, 2023 in order to allow materials to be ordered; and,

**WHEREAS**, a PO in the amount of \$61,897.50 was approved on August 15, 2023:

Cavanaugh -	\$58,950
5% Contingency -	\$2947.50
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<b>Total -</b>	<b>\$61,897.50</b>

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

**SECTION 1.** That Council hereby authorizes the Utilities Department to enter into contract with Cavanaugh Construction Company in the amount of Sixty-One Thousand Eight Hundred Ninety-Seven Dollars and Fifty Cents (61,897.50) for the reconstruction of a 24” storm sewer 10’ deep that is failing on Hopocan Avenue.

**SECTION 2.** 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 3.** 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, in order to appropriate these funds as soon as possible, 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 September 25, 2023

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Clerk of Council

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President of Council

Approved \_\_\_\_\_ 2023

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Mayor