

**ORDINANCE NO. 128-2020**

**TITLE: CHANGE ORDER  
ECLIPSE CONSTRUCTION**

**AN ORDINANCE AUTHORIZING A CHANGE ORDER IN THE AMOUNT OF \$18,089.06 WITH ECLIPSE CONSTRUCTION FOR THE BETZ DITCH RESTORATION PROJECT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, this request is for downtime costs incurred by the contractor while awaiting soil sample results and authorization to resume construction.

**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 Eighteen Thousand Eighty-Nine Dollars and Six Cents (\$18,089.06) with Eclipse Construction is hereby authorized for the Betz Ditch Restoration Project.

**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 in order to facilitate timeliness in payment to the contractor and finalize the project, 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 \_\_\_\_\_ 2020

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Clerk of Council

\_\_\_\_\_  
President of Council

Approved \_\_\_\_\_ 2020

\_\_\_\_\_  
Mayor