

ORDINANCE NO. 61-2023

**TITLE: ENTER INTO CONTRACT
BURGESS & NIPLE
WOLF CREEK DAM UPGRADE PROJECT, PHASE 1**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ENGINEERING SERVICES CONTRACT WITH BURGESS & NIPLE FOR THE WOLF CREEK DAM UPGRADE PROJECT, PHASE 1 DESIGN, BIDDING AND CONSTRUCTION SERVICES IN THE AMOUNT OF NOT TO EXCEED \$944,000, AND DECLARING AN EMERGENCY.

WHEREAS, this project is a grant funded at 90% under the FEMA Hazard Mitigation Grant Program (HMGP).

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

SECTION 1. That the Mayor is hereby authorized to enter into a Professional Engineering Services contract with Burgess & Niple, in the amount of not to exceed Nine Hundred Forty-Four Thousand Dollars and No Cents (\$944,000.00) for the Wolf Creek Dam Upgrade Project, Phase 1 Design, Bidding and Construction Services.

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 facilitate timeliness in keeping 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 April 24, 2023

Clerk of Council

President of Council

Approved _____ 2023

Mayor