

RESOLUTION NO. 80-2023

**TITLE: AMEND RESOLUTION NO. 40-2023
ODOT**

AN ORDINANCE AMENDING RESOLUTION NO. 40-2023 BY INCREASING THE AMOUNT OF THE CONTRACT WITH ODOT TO \$345,923 BASED ON BIDS THAT ODOT RECEIVED HIGHER THAN THE ESTIMATED COST, AND DECLARING AN EMERGENCY.

WHEREAS, Resolution No. 181-2022 was passed on December 19, 2022, agreeing to participate.

WHEREAS, Resolution No. 40-2023 was passed on March 22, 2023, for Final Legislation contracting with the State of Ohio/AMATS.

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

SECTION 1: That the City of Barberton is hereby authorized to amend Resolution No. 40-2023 by increasing the amount of the contract with ODOT in the amount of Thirty Thousand Two Hundred Fifty Dollars and No Cents (\$30,250.00) which would bring the total amount of the contract to Three Hundred Forty-Five Thousand Nine Hundred Twenty-Three Dollars and No Cents (\$345,923.00), based on bids that ODOT received higher than the estimated cost.

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, to be able to return to ODOT in a timely fashion, 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 June 12, 2023

Clerk of Council

President of Council

Approved _____ 2023

Mayor