

05/12/2025

Presented by: Mr. Heitic

ORDINANCE NO. 72–2025

**TITLE: ADOPT SECTION 210.04
CONSTRUCTION MANAGER AT RISK PROCEDURES**

AN ORDINANCE ADOPTING SECTION 210.04 OF THE CODIFIED ORDINANCES OF THE CITY OF BARBERTON, ENTITLED “CONSTRUCTION MANAGER AT RISK PROCEDURES”, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 9.33 through 9.335 authorize municipalities to utilize a construction manager at risk for municipal projects within the City; and

WHEREAS, this Council desires to use its authority proscribed by Section 5.01 of the City’s Charter to adopt Section 210.04 of the Codified Ordinances of the City of Barberton, entitled “Construction Manager at Risk Procedures,” as the same is set forth on Exhibit A, attached hereto and incorporated herein by reference, which will authorize the City to utilize a construction manager at risk for City projects; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the City to adopt Section 210.04 for the purpose of efficiently administering certain projects of the City.

NOW, THEREFORE, BE IT ORDAINED by the City of Barberton, County of Summit, State of Ohio, that:

SECTION 1. That Council hereby adopts Section 210.04 of the Codified Ordinances of the City, entitled “Construction Manager at Risk Procedures,” as set forth on Exhibit A, attached hereto and incorporated herein by reference.

SECTION 2. 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 with Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings opened to the public in compliance with the law.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the City, and for the further reason of immediately implementing the construction manager at risk procedures for City projects so that the same may proceed expeditiously, and provided it receives the approval of two-thirds of the members of Council, shall be in full force and effect from and after its passage and approval by the Mayor, or otherwise take effect and be in full force from and after the earliest period allowed by law.

Passed June 9, 2025

Clerk of Council

President of Council

Approved _____ 2025

Mayor