

**ORDINANCE NO. 6-2026**

**TITLE: AMEND ORDINANCE NO. 156-2023  
ENTER INTO CONTRACT  
FECHKO EXCAVATING**

**AN ORDINANCE AMENDING ORDINANCE NO. 126-2023 TITLED “ENTER INTO CONTRACT – FECHKO EXCAVATING” TO REFLECT AN INCREASE IN ADDITIONAL FUNDING TO THE ORIGINAL CONTRACT AMOUNT, IN THE AMOUNT OF \$206,083.57, FOR A TOTAL CONTRACT AMOUNT OF \$5,047,474.49, DUE TO VARIOUS CHANGE ORDERS ALTERING THE ORIGINAL SCOPE OF WORK, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the contract change is in the amount of Two Hundred Six Thousand Eighty-Three Dollars and Fifty-Seven Cents (\$206,083.57), which is approximately 4.25% of the original cost; and

**WHEREAS**, the increase will change the contract amount from Four Million Eight Hundred Forty-One Thousand Three Hundred Ninety Dollars and Ninety-Two Cents (4,841,390.92) to Five Million Forty-Seven Thousand Four Hundred Seventy-Four Dollars and Forty-Nine Cents (\$5,047,474.49);

**WHEREAS**, the changes are necessary for the excessive water that was encountered when installing the water main, to keep the job running smoothly, and deal with the discovered circumstances while replacing old and aging infrastructure.

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

**SECTION 1.** That Council hereby authorizes to amend Ordinance No. 156-2023 titled “Enter Into Contract – Fechko Excavating” to reflect an increase in additional funding to the original contract amount, in the amount of Two Hundred Six Thousand Eighty-Three Dollars and Fifty-Seven Cents (\$206,083.57), for a total contract amount of Five Million Forty-Seven Thousand Four Hundred Seventy-Four Dollars and Forty-Nine Cents (\$5,047,474.49), due to various change orders altering the original scope of work.

**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, for the reason that it is necessary to authorize a change order for additional funds as soon as possible in order to complete this change in a timely manner and to keep 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 January 12, 2026

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Clerk of Council

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President of Council

Approved \_\_\_\_\_ 2026

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Mayor