

RESOLUTION NO. 16-75

OFFERED BY: MAYOR BASIL

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO AMEND
THE FORCE ACCOUNT ESTIMATE WITH NORFOLK SOUTHERN
RAILWAY COMPANY; AND DECLARING AN EMERGENCY.**

WHEREAS, pursuant to Resolution No. 14-32, passed March 4, 2014, City Council authorized the City Manager to enter into a construction agreement and establish a force account with Norfolk Southern Railway Company, for the upcoming Downtown Railroad Culvert Improvement project; and

WHEREAS, the force account as part of the original construction agreement with the Norfolk Southern Railway Company, was not to exceed \$51,262.00 and was valid for one-year; and

WHEREAS, the City needs to increase the force account an additional \$1,754.00, for a total not to exceed amount of \$53,016.00; and

WHEREAS, this Council finds that it is necessary to authorize the City Manager to amend the force account estimate with Norfolk Southern Railway Company;

NOW, THEREFORE, BE IT RESOLVED by the Council of Hudson, Summit County, State of Ohio, that:

Section 1: The City Manager is authorized and directed to amend the force account with the Norfolk Southern Railway Company for the Downtown Railroad Culvert Improvement project for an amount not to exceed \$53,016.00.

Section 2: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and general welfare and for the further reason that it is immediately necessary to enter into the amendment to the existing force account in order to move forward with the Downtown Railroad Culvert Improvement project during this construction season; wherefore, this Resolution shall be in full force and effect immediately upon its passage, provided it receives the affirmative vote of five members of Council elected thereto or six affirmative votes if all members of Council are present at the meeting at which it is passed; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

David A. Basil, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Resolution was duly passed by the Council of said Municipality on
_____, 2016.

Elizabeth Slagle, Clerk of Council