

A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE A CHANGE ORDER TO THE CONTRACT WITH UNITED EARTHWORKS, LLC FOR THE BARLOW ROAD WIDENING PROJECT (PHASE 2) (BARLOW ROAD RAILROAD CROSSING GRADE IMPROVEMENTS); AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Resolution No. 16-135, adopted by this Council on August 16, 2016, the City publicly bid and awarded a contract for the Barlow Road Widening Project (Phase 2) (Barlow Road Railroad Crossing Grade Improvements) to United Earthworks, LLC; and

WHEREAS, this Council finds that it is necessary to amend the aforesaid contract in accordance with a recommendation of the City Manager to authorize additional funds as a change order for the remediation of a large amount of unforeseen, unsuitable soils from within the project limits.

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

Section 1: A change order in the amount of \$10,000 to the Barlow Road Widening Project (Phase 2) (Barlow Road Railroad Crossing Grade Improvements) contract with United Earthworks, LLC, is approved.

Section 2: It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3: 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 complete the Barlow Road Railroad Crossing Grade Improvements Project at the earliest possible time for the safety of the motoring public and to do so during this construction season; wherefore, this Resolution shall go into effect immediately upon its passage, provided it receives the affirmative vote of five (5) members of Council elected thereto, except that six (6) affirmative votes shall be required if all members of Council are present at the meeting at which it is passed; otherwise, it shall be in full force and effect 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 No. 17-77 was duly passed by the Council of said Municipality on _____, 2017.

Elizabeth Slagle, Clerk of Council