

AN ORDINANCE RATIFYING A CHANGE ORDER TO THE CONTRACT WITH UNDERGROUND UTILITIES, INC. AND DECLARING AN EMERGENCY.

WHEREAS, it has been found that a change order to the contract with Underground Utilities, Inc. of Monroeville, Ohio was needed for the Central Avon Lake Drainage Project (CALDP) Storm Sewer Project Phase 2; and

WHEREAS, the change order authorized Vermillion Tree & Land Clearing to hand fell trees in the wetlands area of CALDP and allow the project to move forward with the permitting process by the U.S. Army Corps of Engineers; and

WHEREAS, the Building and Utilities Committee has reviewed said expenditure and Council desires to confirm, adopt, and ratify this change order to the contract for an amount not to exceed \$53,228.70.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That Council hereby confirms, adopts, and ratifies the change order in the amount of \$53,228.70 to the contract with Underground Utilities, Inc. of Monroeville, Ohio is hereby approved and accepted.

Section No. 2: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 3: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to move forward with the storm sewer project in order to control the amount of storm water entering Avon Lake and prevent flooding, thus for the health, safety, and welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: 3/13/2023

/s/ Martin E. O'Donnell  
President of Council

POSTED: 3/17/2023

APPROVED: 3/14/2023

ATTEST: /s/ Valerie E. Rosmarin  
Clerk of Council

/s/ Gregory J. Zilka  
Mayor