

Sponsor: *Newkirk/Ondero*

RESOLUTION NO. 38-22

A RESOLUTION OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO APPROVING CHANGE ORDERS AND REALLOCATING THE AMOUNT PAID BY THE CITY TO SOUTHERN OHIO TRENCHING AND EXCAVATING, INC., FOR THE MITCHELL STREET SEWER PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, this Council approved the contract with Southern Ohio Trenching and Excavating, Inc. by Res. 16-22 in the amount of \$622,967.00 with the portion to be paid by the City of Jackson not to exceed \$152,967.00; and

WHEREAS, it has been determined that the amount to paid by the grant is such that the City will pay \$168,557.22 rather than \$152,967.00 with the total original contract amount being unchanged;

WHEREAS, a request for change orders has been received and approvals of said changes are recommended by the Service-Safety director so as to increase the contract price due to an adjustment in the sewer lining from 12 inches to 15 inches, in the amount of \$9,925.50, and to reduce the contract by \$2,038.32 to reflect a change in size of sewer lining from 12 inches to 10 inches for a net change in the contact of \$7,887.18 and which shall be paid by the City;

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

Section 1. The legislative authority of the City of Jackson hereby approves the net change order of \$7,887.18 and the reallocation of the portion of the contract to be paid by the City so that the contract, with change orders, shall now not exceed \$630,854.18 with \$176,444.02 of that amount to be paid by the City of Jackson.

Section 2. In order that the project may be completed at the earliest possible date, as the Mitchell Street sanitary sewer project is an important program necessary to maintain the public health, safety and welfare of the City, this matter is declared to be an emergency. Therefore, this Resolution shall go into effect upon passage and as provided in Ohio Revised Code Section 731.30.

Section 3. In the event this Resolution receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Resolution shall be deemed to have passed but with no emergency clause and shall take effect at the earliest time permitted by law.

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

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this *26th*
day of *September*, 2022.

David D. Fultz
President of Council

ATTEST:

Cinda Kuhn
Clerk of the Legislative Authority

Approved this 26th day of September 2022.

[Signature]
Mayor