

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 48 - 2011

6
7 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER
8 INTO A MODIFICATION OF CONTRACT NO. 6406 WITH
9 PANDEY ENVIRONMENTAL, LLC, AND DECLARING AN
10 EMERGENCY.

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13 WHEREAS, under the authority of Ordinance No. 90-2008, the City entered into an
14 agreement for professional services necessary to provide environmental assessment,
15 remediation and oversight of certain real property known as the former State Road
16 Shopping Center (Parcel Nos. 0216737, 0216738, 0216739 and 0216740), pursuant to
17 a grant from the State of Ohio, Clean Ohio Revitalization Fund; and

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19 WHEREAS, it is necessary to adjust the professional service fees beyond what was
20 originally estimated, and to authorize performance of additional professional work made
21 necessary by unforeseen site conditions, in order to complete the remediation work,

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23 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga Falls,
24 County of Summit and State of Ohio, that:

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26 Section 1. The Mayor is hereby authorized to enter into a modification of Contract
27 No. 6406 with Pandey Environmental, LLC, authorizing additional professional services
28 in order to complete environmental site work. The fees to be paid for the additional
29 professional services shall be as necessary in the opinion of the Mayor but not to exceed
30 an amount \$99,200 over the original estimated fees for professional services set forth in
31 the contract. Said modification shall be prepared in writing and signed by the Mayor, on
32 behalf of the City, and the Consultant.

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34 Section 2. The Director of Finance is hereby authorized and directed to pay invoices
35 for work based upon the Contract as modified, in an amount not to exceed \$99,200 over
36 the original estimated fees for professional services set forth in the contract, from the
37 Capital Projects Fund.

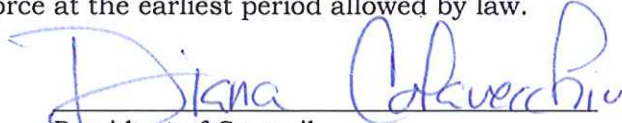
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39 Section 3. Any other ordinances and resolutions or portions of ordinances and
40 resolutions inconsistent herewith are hereby repealed, but any ordinances and
41 resolutions or portions of ordinances and resolutions not inconsistent herewith and
42 which have not previously been repealed are hereby ratified and confirmed.

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44 Section 4. It is found and determined that all formal actions of this Council
45 concerning and relating to the adoption of this ordinance were adopted in an open
46 meeting of this Council and that all deliberations of this Council and of any of its
47 committees that resulted in such formal action were in meetings open to the public, in
48 compliance with all legal requirements including Chapter 107 of the Codified
49 Ordinances.

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51 Section 5. This ordinance is hereby declared to be an emergency measure necessary
52 for the preservation of the public peace, health, safety, convenience and welfare of the
53 City of Cuyahoga Falls and the inhabitants thereof and provided, it receives the
54 affirmative vote of two-thirds of the members elected or appointed to Council, it shall

1 take effect and be in force immediately upon its passage and approval by the Mayor;
2 otherwise it shall take effect and be in force at the earliest period allowed by law.

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5 Passed: 5-9-11


6 President of Council

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11 Clerk of Council

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13 Approved: 5/11/11


14 Mayor

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16 4/25/11

17 O:2011ords/Pandey Environmental - contract mod.