

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 13 - 2012

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO A
9 MODIFICATION OF CONTRACT NO. 6670 WITH MS
10 CONSULTANTS, INC., AND DECLARING AN
11 EMERGENCY.
12

13 WHEREAS, pursuant to the authority of Ord. No. 8-2011, passed February
14 14, 2011, the Director of Public Service entered into Contract No. 6670, with
15 MS Consultants, Inc., for professional construction inspection, recordkeeping,
16 construction administration, and testing services necessary to supplement the
17 regularly employed professional staff of the Engineering Department for the
18 purpose of managing the Howe Avenue/Main Street Intersection Improvements
19 Project (the "Project"); and
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21 WHEREAS, it is necessary to adjust the scope of work beyond what was
22 originally estimated, due to unforeseen utility conflict and coordination issues,
23 extending the duration of the Project beyond what was originally anticipated,
24 and requiring additional professional staff time as necessary to perform
25 professional services through completion of the Project, which additional staff
26 time will increase the total contract price by an amount not exceeding
27 \$53,096.57,
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29 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of
30 Cuyahoga Falls, County of Summit and State of Ohio, that:
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32 Section 1. The Director of Public Service is hereby authorized to enter into a
33 modification of Contract No. 6670 with MS Consultants, Inc., on the basis of its
34 proposal dated July 13, 2012, in an amount not to exceed \$53,096.57. The
35 total contract price after modification as authorized herein shall not exceed
36 \$243,123.61.
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38 Section 2. The Director of Finance is hereby authorized and directed to make
39 payment for same from the Capital Projects Fund.
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41 Section 3. Any other ordinances and resolutions or portions of ordinances
42 and resolutions inconsistent herewith are hereby repealed, but any ordinances
43 and resolutions or portions of ordinances and resolutions not inconsistent
44 herewith and which have not previously been repealed are hereby ratified and
45 confirmed.
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47 Section 4. It is found and determined that all formal actions of this Council
48 concerning and relating to the adoption of this ordinance were adopted in an
49 open meeting of this Council and that all deliberations of this Council and of
50 any of its committees that resulted in such formal action were in meetings open

51 to the public, in compliance with all legal requirements including, to the extent
52 applicable, Chapter 107 of the Codified Ordinances.

53
54 Section 5. This ordinance is hereby declared to be an emergency measure
55 necessary for the preservation of the public peace, health, safety, convenience
56 and welfare of the City of Cuyahoga Falls and the inhabitants thereof, and
57 provided it receives the affirmative vote of two thirds of the members elected or
58 appointed to Council, it shall take effect and be in force immediately upon its
59 passage and approval by the Mayor, otherwise, it shall take effect and be in
60 force at the earliest period allowed by law.

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63 Passed: 7-30-12 Mark Shary
64 President of Council

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67 Catherine J. Meacham
68 Clerk of Council

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71 Approved: 7/31/12 D. Robert
72 Mayor

73 7/30/12
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