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3 CITY OF CUYAHOGA FALLS, OHIO

4  
5 ORDINANCE NO. 94 - 2016

6  
7 AN ORDINANCE AUTHORIZING THE MAYOR OR HIS  
8 DESIGNEE TO ENTER INTO A SECOND MODIFICATION OF  
9 CONTRACT NO. 7045 WITH CT CONSULTANTS, AND  
10 DECLARING AN EMERGENCY.

11  
12 WHEREAS, pursuant to the authority of Ord. No. 64-2014, the Director of Public Service  
13 entered into Contract No. 7045, with CT Consultants, for the professional design  
14 engineering services necessary to proceed with improvements to Howe Avenue from Main  
15 Street to Buchholzer Boulevard (the "Project"); and

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17 WHEREAS, pursuant to the authority of Section 181.06 of the Codified Ordinances, the  
18 City entered into a first modification of said contract on or about April 25, 2016; and

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20 WHEREAS, for the Project to proceed, additional subsurface utility engineering,  
21 updating of the maintenance of traffic plans, and preparation of Phase I Environmental Site  
22 Assessment reports are required as directed by ODOT.

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

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27 Section 1. The Mayor or his designee is hereby authorized to enter into a second  
28 modification of Contract No. 7045, with CT Consultants, on the basis of its proposal dated  
29 October 21, 2016, in an amount not to exceed \$147,258.00. The total contract price after  
30 modification as authorized herein shall not exceed \$642,750.00.

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32 Section 2. The Director of Finance is hereby authorized and directed to make payment  
33 for same from the Capital Projects Fund, line item Capital Outlay.

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35 Section 3. Any other ordinances and resolutions or portions of ordinances and  
36 resolutions inconsistent herewith are hereby repealed, but any ordinances and resolutions  
37 or portions of ordinances and resolutions not inconsistent herewith and which have not  
38 previously been repealed are hereby ratified and confirmed.

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

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46 Section 5. This ordinance is hereby declared to be an emergency measure necessary  
47 for the preservation of the public peace, health, safety, convenience and welfare of the City  
48 of Cuyahoga Falls and the inhabitants thereof, and provided it receives the affirmative vote

49 of two thirds of the members elected or appointed to Council, it shall take effect and be in  
50 force immediately upon its passage and approval by the Mayor; otherwise it shall take effect  
51 and be in force at the earliest period allowed by law.

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Passed: 12-27-16

Mary Ellen Peice  
President of Council

Jameson  
Clerk of Council

Approved: 12-28-2016

[Signature]  
Mayor

12/12/16  
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