

THE CITY COUNCIL OF NORTH ROYALTON, OHIO

ORDINANCE NO. 12-173

INTRODUCED BY: Mayor Stefanik

AN ORDINANCE AMENDING ORDINANCE 10-102 AUTHORIZING THE AGREEMENT WITH BRANDSTETTER CARROLL, INC. FOR PROFESSIONAL DESIGN SERVICES FOR THE NORTH ROYALTON YMCA PROJECT IN THE CITY OF NORTH ROYALTON TO AUTHORIZE AN ADDITIONAL \$10,000 FOR REIMBURSABLE EXPENSES AS CALLED FOR IN THE ORIGINAL CONTRACT BUT NOT RECOGNIZED IN THE ADOPTING LEGISLATION, AND DECLARING AN EMERGENCY

WHEREAS: Council adopted Ordinance 10-102 to enter into an agreement with Brandstetter Carroll, Inc. in the amount of \$330,000 for professional design services for the North Royalton YMCA project; and

WHEREAS: Council has previously amended this agreement by adopting Ordinance 10-140 approving an additional amount not to exceed \$25,000 to cover the cost of a design alternate for 2 additional pool lanes, for a total of 8 lanes, by adopting Ordinance 10-142 approving an additional amount not to exceed \$25,000 to cover the cost of a design alternate for an elevated walking track, and by adopting Ordinance 12-130 approving an additional amount not to exceed \$15,000 to cover the cost of contractor rebid and as-built drawings; and

WHEREAS: Council wishes to authorize an additional \$10,000 for reimbursable expenses as called for in the original contract with Brandstetter Carroll, Inc. but not recognized in the adopting legislation and amend the original amount authorized in Ordinance 10-102 from \$330,000 to \$340,000.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby authorizes an additional \$10,000 for reimbursable expenses as called for in the original contract with Brandstetter Carroll, Inc. but not recognized in the adopting legislation and amends the original amount authorized in Ordinance 10-102 from \$330,000 to \$340,000.

Section 2. Funds in the amount of \$10,000 have been appropriated for this amendment.

Section 3. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

Section 4. 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 that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public peace, health, safety and welfare of the city, and for the further reason that it is immediately necessary to authorize an additional \$10,000 for reimbursable expenses as called for in the original contract with Brandstetter Carroll, Inc. but not recognized in the adopting legislation and amend the original amount authorized in Ordinance 10-102 from \$330,000 to \$340,000.

THEREFORE, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, from and after the earliest period allowed by law.

/s/ Larry Antoskiewicz
PRESIDENT OF COUNCIL

APPROVED: /s/ Robert A. Stefanik
MAYOR

DATE PASSED: November 7, 2012

DATE APPROVED: November 8, 2012

ATTEST: /s/ Laura J. Haller
DIRECTOR OF LEGISLATIVE SERVICES

First reading suspended
Second reading suspended
Third reading November 7, 2012

YEAS: Antoskiewicz, Nickell, Petrusky, Willey
Marnecheck, Muller, Kasaris

NAYS: none