

**VILLAGE OF McDONALD, OHIO**

**RESOLUTION NO. 1916-24**

**RESOLUTION APPROVING CHANGE ORDER NO. 1 TO THE CONTRACT WITH LINDY PAVING, INC. REGARDING THE 2024 STREET RESURFACING PROGRAM, AND AUTHORIZING THE MAYOR, FISCAL OFFICER, AND/OR VILLAGE ADMINISTRATOR TO EXECUTE CHANGE ORDER NO. 1., and declaring an emergency.**

WHEREAS, on or about September 4, 2024, Village Council adopted Resolution No. 1907-24 and entered into a contract with Lindy Paving, Inc. for the 2024 Street Resurfacing Program (the "Contract") with a base contract amount of One Hundred Fifty-Seven Thousand Four Hundred Eighty-Eight and 70/100 Dollars (\$157,488.70);

WHEREAS, the Village has decided to execute a change order to the Contract to include the paving of Massachusetts Avenue in the Contract scope of work;

WHEREAS, the money needed to include the paving of Massachusetts Avenue, in addition to the base amount for the Contract, was already included in the Village's 2024 budget;

WHEREAS, the Village's Engineer has prepared Change Order No. 1 to the Contract between the Village and Lindy Paving, Inc. to increase the Contract amount by Seventeen Thousand Six Hundred Seventy-Three and 65/100 Dollars (\$17,673.75) to pay for the paving of Massachusetts Avenue; and

WHEREAS, Council of the Village of McDonald has determined to approve Change Order No. 1 to the Contract.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF McDONALD, TRUMBULL COUNTY, STATE OF OHIO, WITH AT LEAST TWO-THIRDS OF THE MEMBERS ELECTED THERETO CONCURRING that:

Section I. Change Order No. 1 to the Contract in the amount of Seventeen Thousand Six Hundred Seventy-Three and 65/100 Dollars (\$17,673.75), a copy of which is attached hereto as Exhibit A, is hereby approved.

Section II. The Mayor, Fiscal Officer, and/or Village Administrator are hereby authorized and directed to execute Change Order No. 1 to the Contract.

Section III. The passage of this Resolution and all deliberations relating to the passage of this Resolution were held in open meetings and in accordance with the provisions of Ohio Revised Code Section 121.22.

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Section IV. To preserve the public peace, health, welfare and safety, and for the specific reason that the immediate effectiveness of this Resolution is necessary to allow the Village to pay for Change Order No. 1 in the calendar year 2024 and close out the Contract in the calendar year of 2024, this Resolution is hereby declared to be an emergency measure and shall take effect and be in full legal force and effect from and after the earliest period allowed by law.

Passed in Council this 19<sup>th</sup> day of December, 2024.

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Mayor

Attest to:

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Fiscal Officer