

Village of Bolivar, Ohio

Ordinance Number: 0-20-2023

TITLE: AN ORDINANCE TO AMEND ORDINANCE _____ TO INCREASE THE TOTAL COST OF THE TUSCARAWAS COUNTY ENGINEER’S 2023 PAVING ESTIMATE FOR THE VILLAGE OF BOLIVAR; AND DECLARING AN EMERGENCY.

WHEREAS, the Legislation Authority for the Village of Bolivar is in receipt of the 2023 Paving Estimate that was prepared by the Tuscarawas County Engineer dated March 1, 2023, a copy of which is attached hereto as Exhibit A (hereinafter referred to as the “Engineer’s Estimate”); and

WHEREAS, the Legislative Authority for the Village of Bolivar has reviewed the Engineer’s Estimate and prioritized which portions of the Engineer’s Estimate are both financially feasible and most in need of repaving and repair; and

WHEREAS, in Ordinance _____ the Legislative Authority for the Village of Bolivar accepted a portion of the Engineer’s Estimate and authorized the Village Administrator and Fiscal Officer to remit payment for the same upon completion of the work; and

WHEREAS, since adoption of Ordinance _____, the Village of Bolivar has learned that the aggregate cost to perform paving services set forth in the Ordinance of \$82,295.64 must be increased to meet an increased cost estimate in the amount of \$119,041.00.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BOLIVAR, COUNTY OF TUSCARAWAS, STATE OF OHIO, A MAJORITY OF ITS MEMBERS ELECTED THERETO CONCURRING, THAT:

SECTION 1.

Section 1 of Ordinance Number _____ states as follows:

The Legislative Authority for the Village of Bolivar hereby accepts and authorizes payment upon completion of work for the following portions of the Engineer’s Estimate:

- “Canal Street – Walnut Street to Tuscarawas @ New Pavement,” in an amount not to exceed \$22,756.20;
- “Canal Street – Village Hall to N. Park Avenue,” in an amount not to exceed \$43,130.70;
- “Walnut Street – Canal Street to Park Avenue (212),” in an amount not to exceed \$12,473.07; and
- “Sassafras Alley – Pine to Poplar,” in an amount not to exceed \$3,935.67.

Section 1 of Ordinance Number _____ is hereby amended to read as follows:

The Legislative Authority for the Village of Bolivar hereby accepts and authorizes payment upon completion of work for the following portions of the Engineer's Estimate:

- “Canal Street – Walnut Street to Tuscarawas @ New Pavement”;
- “Canal Street – Village Hall to N. Park Avenue”;
- “Walnut Street – Canal Street to Park Avenue (212)”;
- “Sassafras Alley – Pine to Poplar.”

The total cost for completion of the work referenced above shall not exceed the total amount of \$119,041.00.

SECTION 2. Except as set forth herein, each and every other Section of Ordinance Number _____ shall remain unmodified and in full effect.

SECTION 3. It is found and determined that all formal actions of this Council concerning and related to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any its committees that resulted in such formal action were in meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the public peace, health, safety, and general welfare for the reason that the Village of Bolivar must timely authorize payment for repaving services; and, this Ordinance shall be in full force and effective immediately upon its passage.

PASSED IN COUNCIL this 28th ___ day of ___September_____ 2023.

Attest:

Tedd Finlayson, Mayor

Barb Kline, Fiscal Officer

Approved as to Legal Form by:

Stephan P. Babik, Village Solicitor