

RESOLUTION NO. 160-2025(MSES), *First Reading*

By Mayor Seren

A Resolution authorizing a change order to the Agreement with Fabrizi Trucking & Paving Co., Inc. as general contractor for the North Park SSO Project; and declaring the necessity that this legislation become immediately effective as an emergency measure.

WHEREAS, Ordinance No. 140-2021, passed November 15, 2021, authorized the allocation, appropriation, and expenditure of ARPA funds for sewer infrastructure improvement projects described in the Integrated Overflow Control Master Plan ("IOCMP");

WHEREAS, in accordance with C.O. § 171.03, the Mayor submitted to this Council his request for authorization to proceed to bid the public improvement of the North Park SSO Project; (#24-06) to one general contractor, which this Council approved by motion on June 17, 2024;

WHEREAS, the bids received in response to the invitation were opened on October 24, 2024, and Fabrizi Trucking & Paving Co., Inc. ("Contractor") was determined to be the lowest and best bidder and subsequently contracted with the City to provide the public improvements described therein ("Agreement");

WHEREAS, the discovery of existing utility lines and related complications during Contractor's performance does not allow for adequate funding to repave the road and therefore necessitate a change order to that Agreement to provide for additional expenses associated with repaving of the road;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Cleveland Heights, Ohio, that:

SECTION 1. The Mayor is hereby authorized to execute a change order to the Agreement and any other related documents, instruments, or contracts for an amount not to exceed Two Hundred Sixty-Six Thousand Four Hundred Fifty-Five Dollars and 50/100 (\$266,455.50) to provide for the labor, materials, and other services associated with repaving the roadway described herein.

SECTION 2. It is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken 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 3. Notice of the passage of this Resolution shall be given by publishing the title and abstract of its contents, prepared by the Director of Law, once in one

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newspaper of general circulation in the City of Cleveland Heights, or by posting the full text of this Resolution to the City of Cleveland Heights website.

SECTION 4. It is necessary that this Resolution become immediately effective as an emergency measure necessary for the preservation of public peace, health, and safety of the inhabitants of the City of Cleveland Heights, such emergency being the need to complete the project in a timely manner. Provided it receives the affirmative vote of five or more members elected or appointed to this Council, this Resolution shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.



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TONY CUD  
President of Council



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ADDIE BALESTER  
Clerk of Council

PASSED: August 18, 2025

Presented to Mayor: 08/20/2025 Effective Date: 08/29/2025

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KAHLIL SEREN  
Mayor

\*Effective date per Article IV, Section 5 of the Codified Ordinances of the City of Cleveland Heights