

ORDINANCE NO. 2024-33

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 FOR THE  
C.A. AGRESTA CONSTRUCTION CO., INCREASING THE  
CONTRACT BY \$16,302.00, FOR THE TRYON ROAD PEDESTRIAN  
SAFETY TRAIL PROJECT IN THE VILLAGE OF OAKWOOD AND  
DECLARING AN EMERGENCY**

**WHEREAS**, on November 30, 2022, by Resolution 2022-60, Council authorized and directed the Mayor and the Village Engineer to file an application for funding to the Cuyahoga County Department of Development for the Tryon Road Pedestrian Safety Trail Project under the 2023 Community Development Supplemental Grant Program; and

**WHEREAS**, the Cuyahoga County Department of Development has notified the Mayor and the Village Engineer that the Village of Oakwood has been awarded \$50,000.00 for the Tryon Road Pedestrian Safety Trail Project under the 2023 Supplemental Grant Program which will include the construction of concrete sidewalks and curb ramps compliant with Americans with Disabilities Act (ADA) within the right of way on Tryon Road from Broadway Avenue to Lamson Road; and

**WHEREAS**, on November 30, 2022, by Resolution 2022-61, Council authorized and directed the Mayor and the Village Engineer to file an application for funding to the Cuyahoga County Department of Development for the Tryon Road Pedestrian Safety Trail Project under the 2022 Community Development Block Grant Program; and

**WHEREAS**, the Cuyahoga County Department of Development had notified the Mayor and the Village Engineer that the Village of Oakwood had been awarded \$150,000.00 for the Tryon Road Pedestrian Safety Trail Project under the 2022 Competitive Municipal Block Grant Program which will include the construction of concrete sidewalks and curb ramps compliant with Americans with Disabilities Act (ADA) within the right of way on Tryon Road from Broadway Avenue to Lamson Road.

**WHEREAS**, on May 23, 2023 Council had, by Resolution 2023-18, authorized the Mayor to enter into any agreements with the Cuyahoga County Department of Development to secure the grant award funds for the Tryon Road Pedestrian Safety Trail Project and directed the Village Engineer to begin the preparation of plans and specifications and to provide advertising for bids, and

**WHEREAS**, the bids for Tryon Road Pedestrian Safety Trail Project were opened on August 17, 2023 at Oakwood Village Hall; and

**WHEREAS**, on August 30, 2023, the Oakwood Village Board of Control authorized the Mayor and the Village Engineer to enter into a contract with C.A. Agresta Construction Co. for the Tryon Road Pedestrian Safety Trail Project in the amount of Two Hundred Sixty-Two Thousand Seven Hundred Forty-Seven Dollars and Zero Cents (\$262,747.00), and

**WHEREAS**, the Village Engineer has determined that the quantity adjustments to contract line items for actual work performed will increase the contract for the Tryon Road Pedestrian Safety

Trail Project in the amount of Sixteen Thousand Three Hundred and Two Dollars and Zero Cents (\$16,302.00).

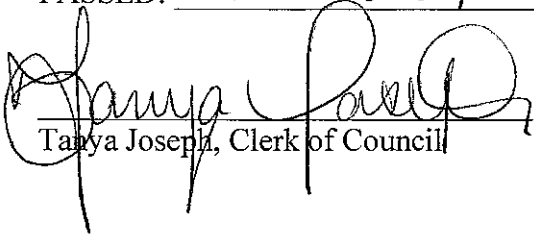
**NOW THEREFORE, BE IT ORDAINED** by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

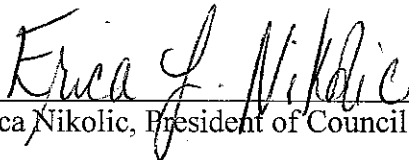
**SECTION 1.** The Council of the Village of Oakwood hereby authorizes Change Order No. 1 for the C.A. Agresta Construction Co., to increase the contract for the Tryon Road Pedestrian Safety Trail in the amount of Sixteen Thousand Three Hundred and Two Dollars and Zero Cents (\$16,302.00).

**SECTION 2.** The Council of the Village of Oakwood hereby authorizes and directs the Finance Director to amend the appropriations as required for the expenditures outlined within this Resolution.


**SECTION 3.** This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being so that close out of the project can be completed in a timely manner in compliance with the grant requirements, therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Resolution shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: 6.25.2024

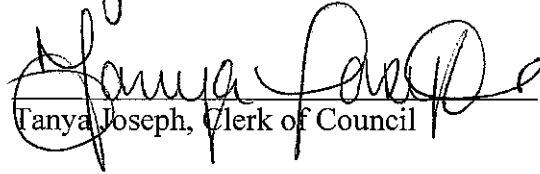
  
Tanya Joseph, Clerk of Council

  
Erica Nikolic, President of Council

Presented to the Mayor 7.10.24

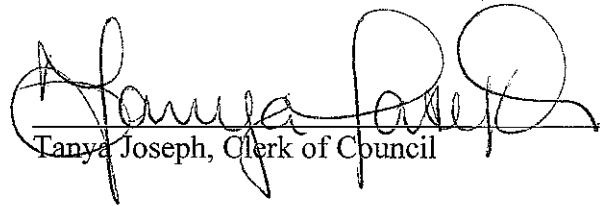
Approved: 7.10.24  
  
Mayor, Gary D. Gottschalk

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that the foregoing Ordinance No. 2024-33 was duly and regularly passed by this Council at the meeting held on the 25<sup>th</sup> day of June, 2024.

  
Tanya Joseph, Clerk of Council

**POSTING CERTIFICATE**

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio, do hereby certify that Ordinance No. 2024-33 was duly posted on the 10<sup>th</sup> day of July, 2024, and will remain posted in accordance with the Oakwood Village Charter.

  
Tanya Joseph, Clerk of Council

DATED: 7.10.24