

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR TO PROCESS PAY APPLICATION NO. 18 TO SEITZ BUILDERS AND RELEASE RETAINAGE FOR THE RICHFIELD SAFETY BUILDING AND DECLARING AN EMERGENCY

WHEREAS, Seitz Builders has submitted Pay Application No. 18 to the Village's Consulting Architect; and

WHEREAS, in full and complete settlement of all disputes concerning the Safety Building with Seitz Builders, this Council wishes to authorize payment of Pay Application No. 18 and release of retainage.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. That the Finance Director be, and hereby is, authorized and directed to process Pay Application No. 18 in the amount of \$222,296.02 and is further authorized to release the retainage of \$115,496.00 conditioned upon Seitz signing a General and Mutual Release acceptable to the Law Director, delivering lien waivers and attested account releases as well as delivering all as-built drawings, warranties and manuals and other close-out documents to the Village and having Seitz agree to the acceptable remedy of the structural rework proposed for the Fire Department apparatus bay.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to resolve a disputed claim at the earliest possible time to avoid protracted negotiation and litigation; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

September 3, 2002

May N. Malone  
President of Council

ATTEST:

Carole Felton

Ronald B. Larsen  
Mayor

Dated: 9/4/2002

Clerk of Council