

RESOLUTION NO. 37-95  
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J. V. Stone ON THE  
5th DAY OF June, 1995.

A RESOLUTION RATIFYING THE ACTION TAKEN BY  
THE CITY MANAGER TO ENTER INTO A COMPLETION  
AGREEMENT BETWEEN THE CITY OF CENTERVILLE AND  
JOE BECKS & ASSOCIATES.

WHEREAS, it is the intent of the City of Centerville  
that the Yankee Trace Clubhouse be substantially completed by  
June 17, 1995, and

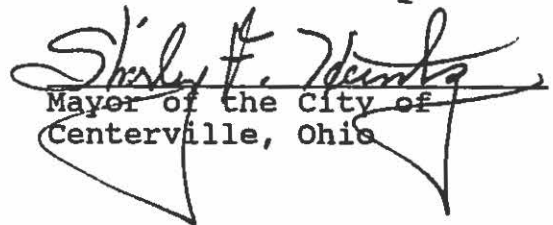
WHEREAS, in order to expedite the completion of the  
Yankee Trace Clubhouse it was necessary that the attached  
agreement be executed by the City Manager and forwarded to Joe  
Becks & Associates without delay.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY  
RESOLVES:

SECTION 1. That the action taken by the City Manager  
to enter into an agreement between the City of Centerville and  
Joe Becks & Associates to accomplish the substantial completion  
of the Yankee Trace Clubhouse by June 17, 1995 is hereby  
ratified, a copy of which is attached hereto and incorporated  
herein as Exhibit "A".

SECTION 2. This Resolution shall become effective at  
the earliest date allowed by law.

PASSED this 5th day of June,  
1995.

  
Mayor of the City of  
Centerville, Ohio

ATTEST:

  
Clerk of the Council of the  
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies that the foregoing is a true and correct copy of Resolution Number 37-95, passed by the Council of the City of Centerville, Ohio, on the 5th day of June, 1995.

Maile J. Sunde  
Clerk of Council

Approved as to form, consistency  
with the Charter and Constitutional Provisions.  
Department of Law  
Robert N. Farquhar  
Municipal Attorney



*Shirley F. Heintz*  
*Mayor*

*Gregory B. Horn*  
*City Manager*

# City of Centerville

May 31, 1995

*100 W. Spring Valley Rd.*  
*Centerville, Ohio 45458-3759*

Ms. Donna Scholz  
Vice President  
Joe Becks & Associates  
P.O. Box 1192  
Dayton, Ohio 45401-1192

Dear Donna:

Per our discussion on 30 May, 1995, the following is a summary of the completion agreement that both the City of Centerville and Joe Becks & Associates will honor, to accomplish the substantial completion of the Yankee Trace Clubhouse by 17 June , 1995:

1. The City of Centerville will waive all liquidated damages accrued per the terms of the original contract, from the amended completion date of May 15, 1995 up to and including June 17, 1995.
2. Joe Becks & Associates will complete all outstanding punch list items by June 23, 1995.
3. The City of Centerville and JBA agree that JBA will document all overtime work hours used to meet the June 17 completion date, starting May 31, 1995, and the City further agrees to pay fifty percent (50%) of said overtime hours.

continued..




*An Architectural Preservation District City*  
*(513) 433-7151*

**4. JBA will be responsible for paying the overtime hours worked by Miami Valley Masonry, earlier in the project.**

This agreement shall be binding upon both parties as of the date of the signatures by the authorized representative of each party.

Signed:

  
\_\_\_\_\_  
Gregory B. Horn  
City Manager  
City of Centerville

\_\_\_\_\_  
Donna Scholz  
Vice President  
Joe Becks & Associates

5-31-95  
Date

\_\_\_\_\_  
Date