

VILLAGE COUNCIL OF WAKEMAN, OHIO
RESOLUTION NO.: 2022-R-30

A RESOLUTION AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A CONTRACT AMENDMENT WITH POGGEMEYER DESIGN GROUP, INC PROVIDING CONSTRUCTION SERVICES FOR THE USR 20 CULVERT REPLACEMENT PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the Village previously authorized the Village Administrator to enter into an agreement with Poggemeyer Design Group for Technical Services for the USR 20 Culvert project in Resolution 2022-R-5 passed the 14th day of February 2022; and

WHEREAS, Section 5 of Resolution 2022-R-5 provided that Construction Services were not considered as part of the contract letter but may be added by contract amendment upon subsequent village approval; and

WHEREAS, the Village now desires to move forward with Construction Services for the USR 20 CULVERT REPLACEMENT Project; and

WHEREAS, Poggemeyer Design Group, Inc. has submitted a proposed Contract Amendment dated 9/9/22 for Construction Services for the above Project; and

WHEREAS, in those villages that have established the position of village administrator, the village administrator shall make contracts, purchase supplies and materials, and provide labor for any work under the administrator's supervision involving not more than fifty thousand dollars. [Section 731.141 of the Ohio Revised Code; See also Section 133.02 of the Wakeman Codified Municipal Code]

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WAKEMAN, STATE OF OHIO: (RC 731.18)

SECTION 1. That Village Council deems it necessary to obtain Construction Services for the USR 20 CULVERT REPLACEMENT Project.

SECTION 2. That Village Council hereby accepts the proposed Contract Amendment submitted by Poggemeyer Design Group, Inc., dated 9/9/22, PDG Project Number: 20225546.001A for Construction Services for the USR 20 CULVERT REPLACEMENT Project.

SECTION 3. That the Village Administrator hereby authorized and directed to enter into the above-described Contract Amendment, including exhibits ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE.

SECTION 4. That the contract shall be executed in the name of the village and signed on its behalf by the village administrator. [Section 731.141 of the Ohio Revised Code; See also Section 133.02 of the Wakeman Codified Municipal Code]

SECTION 6. That such Contract Amendment shall be contingent upon the lawful appropriation of funds.

SECTION 7. DISPENSE WITH THREE READINGS. [R.C. 731.17(A)(2)] That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days.

SECTION 8. DECLARATION OF EMERGENCY. That by two-thirds vote of all the members elected to the legislative authority, this Ordinance is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s): ***Original Contract date was 2/14/22 with the completion of Construction Services anticipated by November 1, 2022.***

SECTION 9. PUBLIC MEETING. That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall be in full force and effect from and after the earliest period allowed by law.

PASSED AND ADOPTED on this 12 day of September, 2022.

AUTHENTICATION and ATTESTATION
(RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.



MAYOR



FISCAL OFFICER

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 6 NAYS: 0 ABSTAIN: 0

First Reading: September 12, 2022
Second Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))
Third Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

PREPARED BY AND APPROVED AS TO FORM [See also RC 731.21(B)]:



VILLAGE SOLICITOR, Steve Palmer

CERTIFICATE OF POSTING
(RC 731.25)

I hereby certify that pursuant to R.C. 731.25, a succinct summary of the above legislation was posted in not less than five of the most public places in the municipal corporation as determined by the legislative authority [see Wakeman Code 123.01] for a period of not less than fifteen days prior to the effective date at the following locations:

- 1) Wakeman Public Library, 18 East Abbott Street; and
- 2) Electronically online at official Village website; and

- 3) Wakeman Post Office, 17 West Main Street; and
- 4) Village of Wakeman Municipal Building, 59 Hyde Street; and
- 5) Mickey Mart, 52 West Main Street.


FISCAL OFFICER/COUNCIL CLERK

ATTACHMENT