

VILLAGE COUNCIL OF WAKEMAN, OHIO
ORDINANCE NO. 2020-O-5

AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO MAKE A WRITTEN CONTRACT WITH THE LOWEST AND BEST BIDDER R.A. BORES EXCAVATING, INC FOR THE ABBOTT STREET WATERLINE IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY

WHEREAS, in those villages that have established the position of village administrator, the village administrator shall make contracts. [Section 731.141 of the Ohio Revised Code; See also Section 133.02 of the Wakeman Codified Municipal Code]; and

WHEREAS, when an expenditure, other than the compensation of persons employed by the village, exceeds fifty thousand dollars, the expenditure shall first be authorized and directed by ordinance of the legislative authority of the village. [Section 731.141 of the Ohio Revised Code]; and

WHEREAS, when so authorized and directed, the village administrator shall make written contract with the lowest and best bidder; [Section 731.141 of the Ohio Revised Code]; and

WHEREAS, council previously authorized bids for the Abbott Street Waterline Improvement Project by Motion of Council passed on January 13, 2020; and

WHEREAS, Poggemeyer Design Group, Inc. was designated by the village administrator to open and publicly read bids as permitted by ORC 731.141; and

WHEREAS, Council and the Village Administrator have reviewed all submitted bids to determine the lowest and best bidder.

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

SECTION 1. That Council finds and determines R.A. Bores Excavating, Inc to be the lowest and best bidder in the amount of \$412,411.85.

SECTION 2. That Council hereby authorizes and directs the Village Administrator to make a written contract with the lowest and best bidder as determined and designated herein.

SECTION 3. That the contract shall be executed in the name of the village and signed on its behalf by the village administrator and the clerk. (See ORC 731.141)

SECTION 4. That the contract shall be in a form specified in the PROPOSAL, CONTRACT DOCUMENTS, AND TECHNICAL SPECIFICATIONS FOR ABBOTT STREET WATERLINE IMPROVEMENTS, JOB No. 342000-00029 dated FEBRUARY 2020 made a part hereof and expressly incorporated herein by reference.

SECTION 5. 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 6. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT. 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): *Poggemeyer Design Group advises: "Pending approval of WSRLA funding for the project, construction is anticipated to begin on/or about July 1, 2020 with final completion expected by October 4, 2020."*

SECTION 7. 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.

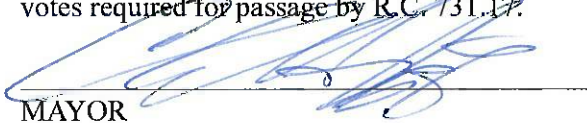
PASSED AND ADOPTED on this 23 day of March, 2020.

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

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

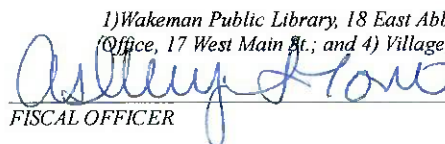
First Reading: dispensed
Second Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))
Third Reading: dispensed (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

APPROVED AS TO FORM,


VILLAGE SOLICITOR, Steve Palmer, Esq.

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 St.; and 4) Village of Wakeman Municipal Building, 59 Hyde Street; and 5) Mickey Mart, 52 West Main Street.

FISCAL OFFICER