

ORDINANCE NO. 20-002

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SPEER BROS., INC., OF SANDUSKY, OHIO, FOR THE WEST SIDE UTILITY & CONNECTIVITY IMPROVEMENTS PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the West Side Utility & Connectivity Improvements Project consists of four (4) components involving the water distribution system, storm sewers, resurfacing, and walkability/connectivity on the west end of the City and provides for improvements along Edgewater Avenue, the Sagamore Street and Linden Street neighborhoods, and Venice Road from Edgewater Avenue to just east of Cold Creek Bridge and includes the replacement of water mains, new storm sewers, multi-use paths and new sidewalks; and

WHEREAS, the City Commission previously approved an agreement with DLZ Ohio, Inc., of Cleveland, Ohio, for Professional Design Services for the West Side Utility & Connectivity Improvements Project by Ordinance No. 17-226, passed on December 11, 2017; and

WHEREAS, the City Commission previously approved an agreement with O.R. Colan Associates of Fairview Park, Ohio, for professional property and easement acquisition services for the West Side Utility & Connectivity Improvements Project by Ordinance No. 19-101, passed on May 28, 2019; and

WHEREAS, the City Commission declared the necessity to proceed with the proposed West Side Utility & Connectivity Improvements Project by Resolution No. 041-19R, passed on October 28, 2019; and

WHEREAS, upon public competitive bidding as required by law nine (9) appropriate bids were received and the bid from Speer Bros., Inc. of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the construction cost of this project is \$4,407,163.00 and will be paid as follows:

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| Sewer Funds (Storm Water) | \$ 1,947,568.00 |
| Water Funds | \$ 1,962,478.00 |
| Sewer Funds (Sanitary) | \$ 29,000.00 |
| Issue 8 Funds (2020 Sandusky Bay Pathway) | \$ 203,775.00 |
| Capital Funds (2020 Sandusky Bay Pathway) | \$ 200,000.00 |
| Issue 8 Funds (Street) | \$ 64,342.00 |
| <hr/> Total | <hr/> \$ 4,407,163.00 |

WHEREAS, approval is being requested in companion legislation to enter into a professional services agreement with K.E. McCartney & Associates, Inc., of Mansfield, Ohio, for contract administration and inspection services and to approve a Cooperative Agreement with the Ohio Water Development Authority (OWDA) to finance the cost of design and construction for the West Side Utility and Connectivity Improvements Project; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to allow the contractor to begin construction activities this spring as there are time restrictions on performing work on Venice Road during the summer due to seasonal tourist traffic between Memorial Day and Labor Day and to complete

the project prior to the construction completion deadline of May 14, 2021; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,


BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into a contract with Speer Bros., Inc., of Sandusky, Ohio, for the West Side Utility & Connectivity Improvements Project in an amount **not to exceed** Four Million Four Hundred Seven Thousand One Hundred Sixty Three and 00/100 Dollars (\$4,407,163.00) consistent with the bid submitted by Speer Bros., Inc., of Sandusky, Ohio, currently on file in the office of the Director of Public Works.


Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION

ATTEST: 

KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: January 13, 2020