

**ORDINANCE NO. 20-034**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH D.L. SMITH CONCRETE, LLC, OF NORWALK, OHIO, FOR THE SAFE ROUTES TO SCHOOL (SRTS) SANDUSKY MIDDLE SCHOOL PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, the City Commission approved a Resolution of Support for the Safe Routes to School (SRTS) Program and the development of Sandusky's School Travel Plan by Resolution No. 011-11R, passed on March 28, 2011; and

**WHEREAS**, the Ohio Safe Route to School (SRTS) Program is funded by the Federal Highway Administration and administered by the Ohio Department of Transportation to support projects and programs that enable and encourage walking and bicycling to and from school; and

**WHEREAS**, a School Travel Plan for Sandusky City Schools was completed and approved by the Ohio Department of Transportation which allowed the City to apply for funding for infrastructure and non-infrastructure projects listed in the School Travel Plan; and

**WHEREAS**, this City Commission authorizing the filing of an application with the Ohio Department of Transportation for the 2016 Safe Routes to School (SRTS) Cost Reimbursement Program by Resolution No. 013-16R, passed on February 22, 2016, and subsequently was awarded grant funds up to a maximum of \$285,000.00; and

**WHEREAS**, this City Commission approved an agreement for Professional Design Services with K.E. McCartney & Associates, Inc., of Mansfield, Ohio, for the Safe Routes to School (SRTS) Sandusky Middle School Project by Ordinance No. 18-079, passed on April 9, 2018; and

**WHEREAS**, the Sandusky Middle School project involves infrastructure improvements as summarized below:

1.	Install bicycle racks at middle school campus.
2.	Install school flashers with radar feedback & create school zone on Perkins Avenue.
3.	Install ADA compliant curb ramps, stop bars, and crosswalks at the intersections on Buchanan Street at Camp Street, Carr Street, Shelby Street, McDonough Street and Hayes Avenue.
4.	Install ADA compliant curb ramps, stop bars, and crosswalks at the intersections on Johnson Street at Camp Street, Carr Street, Shelby Street, McDonough Street, and Hayes Avenue.
5.	Install ADA compliant curb ramps, stop bars, and crosswalks at the intersections on Camp Street at Forest Drive and Orlando Pace Drive.
6.	Install ADA compliant curb ramps, stop bars, and crosswalks at the intersections on Hayes Avenue at Orlando Pace Drive and Rockwell Street.
7.	Install countdown pedestrian signals at the existing traffic signals and upgrade striping at the intersection of Hayes Avenue and Pierce Street.
8.	Replace the existing sidewalk as needed for approximately 1700 feet along Camp Street between West Perkins Avenue and Pierce Street.

**PAGE 2 - ORDINANCE NO. 20-034**

**WHEREAS**, this City Commission declared the necessity to proceed with the proposed Safe Routes to School (SRTS) Sandusky Middle School Project by Resolution No. 044-19R, passed on November 25, 2019; and

**WHEREAS**, upon public competitive bidding as required by law three (3) appropriate bids were received and the bid from D.L. Smith Concrete, LLC, of Norwalk, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the total construction cost of this project based on bids is \$177,770.50 and will be paid with Federal Highway Administration (FHWA) funds through the Ohio Department of Transportation (ODOT); 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 meet the ODOT District 3 deadline of awarding a construction contract by March 2020 and to complete the construction by the deadline of July 21, 2020; 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 D.L. Smith Concrete, LLC, of Norwalk, Ohio, for the Safe Routes to School (SRTS) Sandusky Middle School Project, PID 103737, in an amount **not to exceed** One Hundred Seventy Seven Thousand Seven Hundred Seventy and 50/100 Dollars (\$177,770.50) consistent with the bid submitted by D.L. Smith Concrete, LLC, of Norwalk, 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

**PAGE 3 - ORDINANCE NO. 20-034**

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.

  
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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION

ATTEST:   
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KELLY L. KRESSER  
CLERK OF THE CITY COMMISSION

Passed: February 10, 2020