

ORDINANCE NO. 20-080

AN ORDINANCE AMENDING ORDINANCE NO. 20-068, PASSED ON APRIL 13, 2020, AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE ODOT RESURFACING – URBAN PAVING CITY OF SANDUSKY PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, pursuant to State law, maintenance of State routes and U.S. routes within municipal corporation limits are the responsibility of the municipality, however, the Ohio Department of Transportation (ODOT) began a State-wide Urban Paving program several years ago that allocates funds towards resurfacing of dedicated State routes and to prioritize these projects, ODOT completes a pavement analysis on all State routes on a routine basis and all of State Route 6 within the corporation limits is scheduled for reconstruction between 2020 and 2023; and

WHEREAS, the ODOT Resurfacing - Urban Paving City of Sandusky Project consists of resurfacing U.S. 6 between the pavement joint just west of Venice Road / Sanford Street and the Sandusky southern corporation limit and U.S. 250 between Cleveland Road and 500 feet north of Butler Street, including pavement repair, concrete repair, structure maintenance, and pavement markings, lying within the City of Sandusky; and

WHEREAS, the City Commission previously adopted the preliminary legislation submitted by the Director of the Ohio Department of Transportation for the ODOT Resurfacing - Urban Paving City of Sandusky Project, PID No. 92889, by Resolution No. 011-19R, passed on March 11, 2019; and

WHEREAS, pursuant to the preliminary legislation, ODOT agreed to pay 80% with the City agreeing to pay 20% of the roadway resurfacing and construction inspection costs, which include pavement planning, asphalt overlay, shoulder treatments on Cleveland Road, height adjustments to existing guardrail, pavement markings, temporary and fast dry concrete, adjustments to utility castings, mailbox supports and approaches, and work zone signs; and

WHEREAS, all other items, such as curbs, gutters, curb ramps, base repairs or any alterations for roadway improvements will be completed at 100% cost to the City including the replacement of some of the concrete on side streets (within the Cleveland Road right-of-way) and additional curb repairs along the concrete portion of Sycamore Line and along Washington Park as requested by the City; and

WHEREAS, additional requests by the City previously agreed to by ODOT include concrete repairs on Milan Road between Sycamore Line and the Butler Street overpass and will be completed at a 50% cost to the City; and

WHEREAS, Ordinance No. 20-068 stated the final estimated project cost was \$2,145,792.42 of which the City's portion would be \$1,074,955.00; and

WHEREAS, subsequent to public competitive bidding by the State, the lowest and best bid was from Erie Blacktop, Inc. in the amount of \$2,352,699.00,

PAGE 2 - ORDINANCE NO. 20-080

which exceeded the engineer's estimate, and therefore it is necessary to amend Ordinance No. 20-068 and approve an additional cost of \$18,192.00 which will be paid with Issue 8 Funds; and

WHEREAS, the revised project cost is \$2,352,699.00, which increases the City's portion to \$1,093,147.00 and will be paid as follows:

Capital Funds (Street)	\$ 830,602.00
Street Funds (new gas tax)	\$ 110,000.00
Sewer Funds (Storm Sewer - catch basins)	\$ 40,000.00
Sewer Funds (Sanitary - manholes)	\$ 35,000.00
Water Funds (valve boxes)	\$ 30,000.00
<u>Issue 8 Funds (Street)</u>	<u>\$ 47,545.00</u>
Total	\$ 1,093,147.00

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 amend Ordinance No. 20-068, passed on April 13, 2020, and allow payment to be made to ODOT so the project can be awarded ; 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. This City Commission requests the Director of Transportation to proceed with the Highway Improvement Project (P.I.D. No. 92889) and authorizes and directs the City Manager to cooperate with the Director of Transportation and to enter into the contract with the Ohio Department of Transportation for the ODOT Resurfacing - Urban Paving City of Sandusky Project.

Section 2. This City Commission hereby amends Ordinance No. 20-068, passed on April 13, 2020, and authorizes and directs the Finance Director to expend funds to the Treasurer of State for the ODOT Resurfacing - Urban Paving City of Sandusky Project in a revised amount **not to exceed** One Million Ninety Three Thousand One Hundred Forty Seven and 00/100 Dollars (\$1,093,147.00), consistent with carrying out the requirements of this Ordinance and the terms of the Contract.

PAGE 3 - ORDINANCE NO. 20-080

Section 3. The Director of Public Works is authorized and directed to deliver a certified copy of this Ordinance together with all necessary documents to the Director of the Ohio Department of Transportation.

Section 4. 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 5. 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 6. 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



KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: May 26, 2020