

**ORDINANCE NO. 21-059**

**AN ORDINANCE AMENDING ORDINANCE NO. 21-034, PASSED ON MARCH 22, 2021, TO CORRECT A SCRIVENER'S ERROR; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission approved a contract with Erie Blacktop, Inc., of Sandusky, Ohio, for the Camp Street Resurfacing and Reconstruction Project by Ordinance No. 21-034, passed on March 22, 2021, in the amount of \$310,490.25; and

**WHEREAS**, it was recently discovered that a scrivener's error was made on Ordinance No. 21-034 and the total cost of the contract in Section 1 of the Ordinance did not include the costs for Alternate bids 1 and 2 and the contract should have been approved in an amount not to exceed **\$372,537.35**; and

**WHEREAS**, there is no change to the budgetary information and the total construction costs remains \$372,537.35 of which \$41,071.66 will be paid with a 0% OPWC loan, \$175,000.00 with OPWC grant funds, \$86,188.00 with Community Development Block Grant (CDBG) Funds, and \$70,277.69 with Issue 8 Street Funds; 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 immediately amend Ordinance No. 21-034 to reflect the actual cost of the contract; 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 hereby amends Ordinance No. 21-034, passed on March 22, 2021, to correct a scrivener's error and authorizes and directs the City Manager to enter into a contract with Erie Blacktop, Inc., of Sandusky, Ohio, for the Camp Street Resurfacing and Reconstruction Project in an amount not to exceed **Three Hundred Seventy Two Thousand Five Hundred Thirty Seven and 35/100 Dollars (\$372,537.35)** consistent with the bid submitted

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by Erie Blacktop, 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.



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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION



ATTEST: \_\_\_\_\_  
MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION

Passed: April 26, 2021