

RESOLUTION NO. 057-17R

A RESOLUTION REPEALING RESOLUTION NO. 049-17R AND DECLARING THE NECESSITY FOR THE CITY OF SANDUSKY, OHIO, TO PROCEED WITH THE PROPOSED WEST MARKET STREET SEWER REPLACEMENT PROJECT; APPROVING THE REVISED SPECIFICATIONS AND ENGINEER'S ESTIMATE OF COST THEREOF; AND DIRECTING THE CITY MANAGER TO ADVERTISE FOR AND RECEIVE BIDS IN RELATION THERETO; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the proposed West Market Street Sewer Replacement Project involves the replacement of approximately 290 feet of an existing 24" vitrified (VIT) clay combined sewer located in West Market Street between the Shelby Street and Pearl Street intersections; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed West Market Street Sewer Replacement Project by Resolution No. 049-17R, passed on September 25, 2017; and

WHEREAS, no bids were received therefore Staff reached out to local contractors and learned most contractors could not meet the original completion date and the project was rebid with no change in the engineer's estimate and a revised completion date; and

WHEREAS, subsequently one (1) bid was opened on November 17, 2017, and the bid received exceeded the Engineer's original estimate of cost by more than 10% and pursuant to §41 of the City Charter no contract can be awarded and therefore the bid was rejected which necessitates rebidding the West Market Street Sewer Replacement Project; and

WHEREAS, after reviewing the bid prices with the bidder, other contractors, and suppliers it was discovered the recent hurricane events, especially in the State of Texas where oil refineries supply the raw materials for PVC, have impacted pipe material prices; and

WHEREAS, the original engineer's estimate for the construction contract was \$59,000.00 and the revised engineer's estimate is \$74,125.00; and

WHEREAS, the total revised estimated cost of this project including engineering, inspection, advertising and miscellaneous costs is \$81,537.50 and will be paid with Sewer Funds; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to rebid the project, receive competitive prices, and to complete the project as soon as possible to prevent any further deterioration of the 24" vitrified (VIT) clay sewer conduit; 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 **Resolution** 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 RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission hereby repeals Resolution No. 049-17R, passed on September 25, 2017.

Section 2. The revised specifications and estimates of cost as prepared by the City's Director of Public Works and submitted to this City Commission, and which are now on file with the Clerk of the City Commission, and the office of the City's Director of Public Works, for the proposed West Market Street Sewer Replacement Project, be and the same hereby are approved by this City Commission.

Section 2. This City Commission hereby declares it necessary to proceed with the West Market Street Sewer Replacement Project at the earliest possible time.

Section 3. The City Manager is authorized and directed to advertise for and to receive bids in relation to the West Market Street Sewer Replacement Project as required by law.

Section 4. If any section, phrase, sentence, or portion of this Resolution 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 Resolution 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 Resolution 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.



DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST:



KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: December 11, 2017