

ORDINANCE NO. 23-005

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MILLER CABLE CO. OF GREEN SPRINGS, OHIO, FOR THE HEALTHY HAYES SAFETY IMPROVEMENTS PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Healthy Hayes Safety Improvements Project will include full traffic signal reconstruction at Pierce Street and Columbus Avenue intersections, signal upgrades at Osborne and Tyler Street intersections, high visibility crosswalk markings at all crosswalks, school zone flashers on Hayes Avenue, Rectangular Rapid Flash Beacons (RRFBS) at Johnson Street and Firelands south campus, and pavement marking upgrades from Pierce Street to Osborne Street; and

WHEREAS, the City Commission authorized the filing of an application to the Ohio Department of Transportation (ODOT) for financial assistance through the Highway Safety Improvement Program (HSIP) for the Healthy Hayes Corridor Project by Resolution No. 038-18, passed on September 24, 2018; and

WHEREAS, the City Commission approved an agreement for Professional Design Services with Carpenter Marty Transportation, Inc. of Columbus, Ohio, for the Healthy Hayes Safety Improvements Project by Ordinance No. 20-078, passed on May 11, 2020; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed Healthy Hayes Safety Improvements Project by Resolution No. 060-22R, passed on October 24, 2022; and

WHEREAS, upon public competitive bidding as required by two (2) appropriate bids were received and the bid from Miller Cable Co. of Green Springs, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total construction cost of this project is \$809,400.00 of which \$722,700.00 (90% of eligible costs) will be paid with ODOT funds through the Highway Safety Improvement Program (HSIP) and the City's share of \$86,700.00 will be paid with Issue 8 Street Funds from the Capital Projects Fund; 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 award the project by ODOT's schedule date of February 27, 2023; 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,

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THAT:

Section 1. The City Manager is authorized and directed to enter into a contract with Miller Cable Co. of Green Springs, Ohio, for the Healthy Hayes Safety Improvements Project (PID #109523), in an amount **not to exceed** Eight Hundred Nine Thousand Four Hundred and 00/100 Dollars (\$809,400.00) consistent with the bid submitted by Miller Cable Co. of Green Springs, 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: _____
CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: January 9, 2023