

ORDINANCE NO. 23-025

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ED BURDUE & CO. LLC, OF SANDUSKY, OHIO, FOR THE 2022 W. MONROE STREET DRAINAGE PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, currently there is a single combined sewer in the intersection and along each of W. Monroe and Decatur Streets and due to the limited capacity within these existing combination sewers, backups occur on a regular basis during heavy rain events; and

WHEREAS, the 2022 W. Monroe Street Drainage Project involves the re-routing of stormwater runoff from along W. Monroe Street from Decatur Street to Fulton Street westward to Central Avenue where there is ample capacity to take the additional flow and specifically the project will add a 12" storm sewer dedicated for carrying the stormwater flows westward, away from the intersection, collecting runoff from eight (8) new catch basin structures that will have the ability to take more runoff than the existing basins; and

WHEREAS, this City Commission declared the necessity to proceed with the proposed 2022 W. Monroe Street Drainage Project by Resolution No. 061-22R, passed on November 14, 2022; and

WHEREAS, upon public competitive bidding as required by law two (2) appropriate bids were received and the bid from Ed Burdue & Co. LLC, of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total construction cost of this project based on bids is \$105,749.16 and will be paid with Sewer 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 for the contractor to begin the work to meet the project completion deadline of June 9, 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, THAT:

Section 1. The City Manager is authorized and directed to enter into a contract with Ed Burdue & Co. LLC, of Sandusky, Ohio, for the 2022 W. Monroe Street Drainage Project in an amount **not to exceed** One Hundred Five Thousand Seven Hundred Forty-Nine and 16/100 Dollars (\$105,749.16) consistent with the

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bid submitted by Ed Burdue & Co. LLC, 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.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: February 13, 2023