

**ORDINANCE NO. 23-026**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ED BURDUE & CO. LLC, OF SANDUSKY, OHIO, FOR THE CLEVELAND ROAD WATERLINE REPLACEMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.**

**WHEREAS**, this City Commission approved an agreement for Professional Design Services with Structurepoint, Inc. of Cleveland, Ohio, for waterline improvements in conjunction with the Cleveland Road Safety Improvement Project by Ordinances No. 22-063, passed on March 28, 2022; and

**WHEREAS**, the Cleveland Road Waterline Replacement Project involves the re-alignment of the water mains intersecting at Cleveland Road and Cedar Point Drive to align with the roadway geometry for future maintenance purposes and furthermore, the existing lines entering this intersection are 64 and 51 years old, respectively; and

**WHEREAS**, this City Commission declared the necessity to proceed with the proposed Cleveland Road Waterline Replacement Project by Resolution No. 062-22R, passed on November 28, 2022; and

**WHEREAS**, upon public competitive bidding as required by law five (5) 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 \$298,699.92 and will be paid with Water 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 May 5, 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 Cleveland Road Waterline Replacement Project in an amount **not to exceed** Two Hundred Ninety-Eight Thousand Six Hundred Ninety-Nine and 92/100 Dollars (\$298,699.92) consistent with the bid submitted by Ed Burdue & Co. LLC, of Sandusky, Ohio,

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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: \_\_\_\_\_  
CATHLEEN A. MYERS  
CLERK OF THE CITY COMMISSION

Passed: February 13, 2023