

ORDINANCE NO. 23-117

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH JMJ INCORPORATED LTD, D.B.A. HULA CONSTRUCTION OF CASTALIA, OHIO, FOR THE 2023 SIDEWALK REPAIR & REPLACEMENT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the proposed 2023 Sidewalk Repair & Replacement Project consists of over 8,184 square feet of sidewalk repairs and a portion of walk along North Depot Street receiving storm drainage tie-in within the walkway as there is heavy ponding from the roadway; and

WHEREAS, this project will also include concrete work necessary at Fire Station #7 and additional walkway within Shoreline Park; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed 2023 Sidewalk Repair & Replacement Project by Resolution No. 018-23R, passed on April 10, 2023; and

WHEREAS, upon public competitive bidding as required by law four (4) appropriate bids were received and the bid from JMJ Incorporated, LTD d.b.a. Hula Construction of Castalia, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total construction cost of this project is \$153,628.70 of which \$85,655.85 will be paid with Capital Projects Funds (Issue 8 Infrastructure) \$20,655.75 will be paid with American Rescue Act Funds and the remaining balance of \$47,317.10 will be paid with Capital Improvement 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 to allow execution of the contract and issuance of a notice to proceed immediately, so work can be completed prior to the completion date of August 30, 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 JMJ Incorporated LTD, d.b.a. Hula Construction of Castalia, Ohio, for the 2023 Sidewalk Repair & Replacement Project in an amount **not to exceed** One Hundred Fifty-Three Thousand Six Hundred Twenty-Eight and 70/100 Dollars

PAGE 2 - ORDINANCE NO. 23-117

(\$153,628.70) consistent with the bid submitted by JMJ Incorporated LTD, d.b.a. Hula Construction of Castalia, 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: May 22, 2023