

ORDINANCE NO. 23-132

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH GREAT LAKES DEMOLITION OF CLYDE, OHIO, FOR THE EAST WATER STREET RESURFACING PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City Commission approved the submission of an application to the Erie Regional Planning Commission Metropolitan Planning Organization (MPO) for financial assistance for the East Water Street Resurfacing Project and, if awarded, approving an LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation (ODOT) by Resolution No. 009-20R, passed on March 23, 2020; and

WHEREAS, the City Commission approved an agreement for professional services with K.E. McCartney & Associates, inc. of Mansfield, Ohio, for contract Administration and Inspection Services for the East Water Street Resurfacing Project by Ordinance No. 23-029, passed on February 13, 2023; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed East Water Street Resurfacing Project by Resolution No. 014-23R, passed on March 13, 2023; and

WHEREAS, the East Water Street Resurfacing Project will provide for improvements to East Water Street from Franklin Street to Meigs Street and includes milling of existing pavement, resurfacing with intermediate and surface courses of asphalt, full depth and partial depth base repairs, curb and gutter improvements, multi-use path, adjustments to manholes, monument boxes and water value boxes, ADA curb ramps, drive aprons, landscaping, crosswalks, signage, and pavement markings; and

WHEREAS, this project also includes Alternate Bid 1, allowing installation of a Rectangular Rapid Flashing Beacon (RRFB) at the crosswalk and angled across East Water Street between the new bike path on Warren Street and the Sandusky Bay Pathway west of Shoreline Park drive apron, and Alternate Bid 2, replacing pavers at the nodes with stamped concrete; and

WHEREAS, upon public competitive bidding as required by two (2) appropriate bids were received and the bid from Great Lakes Demolition of Clyde, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total construction cost of this project is \$952,053.00 and will be paid as follows:

MPO/Federal Funds	\$474,477.00
Capital Projects Funds (Issue 8 - Streets)	\$117,053.00
Capital Projects Funds (Sandusky Bay Pathway)	\$200,000.00
<u>American Rescue Plan Act Stimulus Funds</u>	<u>\$160,523.00</u>
Total	\$952,053.00

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 with a goal of completing the project in the 2023 construction season to provide minimal impact to traffic and businesses during the winter; 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 Great Lakes Demolition of Clyde, Ohio, for the East Water Street Resurfacing Project (PID #113958), in an amount **not to exceed** Nine Hundred Fifty-Two Thousand Fifty-Three and 00/100 Dollars (\$952,053.00) consistent with the bid submitted by Great Lakes Demolition of Clyde, 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