

ORDINANCE NO. 23-147

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ERIE BLACKTOP INC. OF SANDUSKY, OHIO, FOR THE 2023 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) STREET REHABILITATION PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, TransMap performed a citywide pavement survey in 2015, which Staff updated through late 2022, only removing street segments that are planned for paving work in the Capital Plan and the segments that have been paved since the completion of the study; and

WHEREAS, the 2023 Community Development Block Grant (CDBG) Rehabilitation Project involves the resurfacing of the ten (10) worst “qualifying” asphalt street segments in the City, based upon Staff observations and feedback, complaints received, other planned work, and the updated TransMap survey, and will address sections of roadway on Baltimore, Decatur, Neil, Scott, and West Madison Streets and also includes Alternate Bid C which includes another section of roadway on Scott Street; and

WHEREAS, this City Commission declared the necessity to proceed with the 2023 Community Development Block Grant (CDBG) Rehabilitation Project by Resolution No. 024-23R, passed on May 22, 2023; and

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

WHEREAS, the total construction cost of this project based on bid is \$263,211.15 and will be paid with Community Development Block Grant (CDBG) 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 project to be completed prior to the construction completion deadline of November 17, 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 Erie Blacktop Inc. of Sandusky, Ohio, for the 2023 Community

Development Block Grant (CDBG) Street Rehabilitation Project in an amount **not to exceed** Two Hundred Sixty-Three Thousand Two Hundred Eleven and 15/100 Dollars (\$263,211.15) consistent with the bid submitted by Erie Blacktop Inc. 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: July 10, 2023