

ORDINANCE NO. 23-205

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SCHIRMER CONSTRUCTION LLC OF NORTH OLMSTED, OHIO, FOR THE 2023 UNDERPASS REHABILITATION AT COLUMBUS AVENUE PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the 2023 Underpass Rehabilitation at Columbus Avenue involves replacing the remaining unsafe walkway handrail with a rustproof aluminum style, upgrading the underpass lighting to match the LED lighting fixtures on the Camp Street underpass for pedestrian and driver safety, power washing and chiseling off the existing wall coatings to the stone/concrete structure, repairing delamination and cracks with specialized cements and epoxies, and reapplying a new waterproof coating system; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed 2023 Underpass Rehabilitation at Columbus Avenue Project by Resolution No. 040-23R, passed on September 11, 2023; and

WHEREAS, upon public competitive bidding as required by law one (1) appropriate bid was received and the bid from Schirmer Construction LLC of North Olmsted, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total construction cost of this project is \$527,785.00 and will be paid with American Rescue Plan Act (ARPA) Stimulus 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 to proceed with construction so the project can be completed by the completion deadline of June 7, 2024; 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 Schirmer Construction LLC of North Olmsted, Ohio, for the 2023 Underpass Rehabilitation at Columbus Avenue Project, in an amount **not to exceed** Five Hundred Twenty-Seven Thousand Seven Hundred Eighty-Five and 00/100 Dollars (\$527,785.00) consistent with the bid submitted by Schirmer Construction LLC of North Olmsted, Ohio, currently on file in the office of the

PAGE 2 - ORDINANCE NO. 23-205

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: October 9, 2023