

ORDINANCE NO. 24-067

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH SMITH PAVING AND EXCAVATING, INC. OF NORWALK, OHIO, FOR THE MEADOWOOD SUBDIVISION SIDEWALK PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the proposed Meadowood Subdivision Sidewalk Project will provide for the extension of concrete sidewalks along East Oldgate Road, Heritage Drive, Fox Run Trail, Fallen Timber Drive, Pioneer Trail and Foxborough Circle, including lots that have not been developed and do not have sidewalks installed that connect to existing sidewalks, and includes improvements to curb ramps to be in compliance with American Disability Act (ADA) standards; and

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 Meadowood Subdivision Sidewalk Project and, if awarded, approving an LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation by Resolution No. 008-22R, passed on February 14, 2022; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the proposed Meadowood Subdivision Sidewalk Project by Resolution No. 002-24R, passed on January 8, 2024; and

WHEREAS, upon public competitive bidding as required by law four (4) appropriate bids were received and the bid from Smith Paving and Excavating, Inc. of Norwalk, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total construction cost of this project is \$134,481.30 of which \$107,585.04 (80%) will be paid with grant funds from the Ohio Department of Transportation and the remaining balance of \$47,317.10 will be paid with Capital Projects 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 project completion deadline of June 15, 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:

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Section 1. The City Manager is authorized and directed to enter into a contract with Smith Paving and Excavating, Inc. of Norwalk, Ohio, for the Meadow Subdivision Sidewalk Project (PID #117271) in an amount **not to exceed** One Hundred Thirty-Four Thousand Four Hundred Eighty-One and 30/100 Dollars (\$134,481.30) consistent with the bid submitted by Smith Paving and Excavating, Inc. of Norwalk, 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: March 25, 2024