

City of Willoughby Hills

ORDINANCE NO. 2013-45

AN ORDINANCE WAIVING THE PUBLIC BIDDING REQUIREMENT OF SECTION 115.04 OF THE CODIFIED ORDINANCES OF THE CITY OF WILLOUGHBY HILLS FOR THE ROSEWOOD TRAIL STORM PIPE EXTENSION PROJECT CONSTRUCTION CONTRACT AWARDED TO LONGO SEWER CONSTRUCTION, INC ON AUGUST 26, 2013 AND DECLARING AN EMERGENCY.

WHEREAS, the City Engineer's estimate of the construction cost of the Rosewood Trail Storm Pipe Extension Project was less than \$25,000; and

WHEREAS, based upon the Engineer's estimate the City Administration solicited informal proposals for the Rosewood Trail Storm Pipe Extension Project during the month of August when City Council was on recess; and

WHEREAS, based upon the City Administration's determination that Longo Sewer Construction, Inc.'s informal bid for the Rosewood Trail Storm Pipe Extension Project in the amount of \$24,417.75 was determined to be the lowest and best bid received; and

WHEREAS, the City Administration awarded the contract to Longo Sewer Construction, Inc. on August 26, 2013 in order that the work might be completed by the end of the 2013 construction season; and

WHEREAS, Longo Construction has completed work on the project at a final cost of \$26,105.50; and

WHEREAS, the City Engineer has inspected the work, determining that the additional expense is the result of greater quantities of materials than was anticipated in the bid specifications, and had recommended that Longo Sewer construction's final invoice be paid in full as submitted; and

WHEREAS, Section 115.04 of the Codified Ordinances of the City of Willoughby Hills requires that expenditures of \$25,000 or more be made only after public bids have been solicited in accordance with the requirements of the Ohio Revised Code; and

WHEREAS, the final cost of the contract is now in excess of the \$25,000 threshold for public bidding due to the need for an increase in the quantity of materials required to complete the project over the amount anticipated by the City Engineer; and

WHEREAS, because the Rosewood Trail Storm Pipe Extension Project final project cost is in excess of \$25,000 and it is in excess of the amount originally bid by the contractor for said project, the Finance Director, in his Interoffice Memo, dated October 18, 2013, pertaining to the ***Request for Authorization to Pay the Rosewood Trail Storm Pipe Extension Project Final Project Cost***, consist of one (1) page, attached hereto as the Exhibit "A" and referenced herein, has requested Council to authorize the final invoice to be paid in full and to retroactively waive the public bidding requirement for said project.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. The public bidding requirement of Section 115.04 of the Codified Ordinances of the City of Willoughby Hills, requiring that expenditures of \$25,000 or more be made only after public bids have been solicited in accordance with the requirements of the Ohio Revised Code is hereby waived for the Rosewood Trail Storm Pipe Extension Project.

SECTION 2. The Director of Finance is hereby authorized to pay Longo Sewer Construction, Inc. a total of \$26,105.50 for the Rosewood Trail Storm Pipe Extension Project.

SECTION 5. All Ordinances or parts thereof in conflict with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance.

SECTION 6. The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 7. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the Finance Department and further reason being to immediately provide for the payment of \$1,687.75 in excess of the amount originally bid by the contractor for the Rosewood Trail Storm Pipe Extension Project; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: _____, 2014

Submitted to the Mayor for his approval
on this _____ day of _____, 2014

ATTEST:

Victoria Ann Savage, CMC
Clerk of Council

David A. Reichelt
President of Council

Approved by the Mayor

_____, 2014

Robert M. Weger
Mayor