

KEVIN D. MALECEK  
*President of Council*

DAVID A. REICHEL  
*Vice President of Council*

VICTORIA ANN SAVAGE, CMC  
*Clerk of Council*

# City of Willoughby Hills

*Council*  
CHRISTOPHER L. BIRO  
NANCY E. FELLOWS  
DAVID M. FIEBIG  
FRANK A. GERMANO  
RAYMOND C. SOMICH

## **ORDINANCE NO. 2009-57**

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### **AN ORDINANCE ACCEPTING HVAC PREVENTATIVE MAINTENANCE PROPOSALS FOR MULTIPLE CITY FACILITIES AS SUBMITTED BY THE JOHN F. GALLAGHER CO., MECHANICAL CONTRACTORS OF EASTLAKE, OHIO AND DECLARING AN EMERGENCY.**

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**WHEREAS**, the Mayor solicited bids for **HVAC Preventative Maintenance Proposal for the following three (3) facilities: City Hall, the Community Center and the Trailer; and**

**WHEREAS**, bids were received from the following five (5) contractors: Deluxe Heating & Cooling Co., The John F. Gallagher Co., Steve's Heating & A/C, Honeywell, and Environmental Conditioning Systems indentified in **Exhibit A**, consisting of one (1) page, attached hereto and referenced herein; and

**WHEREAS**, the Council of the City of Willoughby Hills has reviewed and accepts the bid proposals as submitted by **The John F. Gallagher Co., Mechanical Contractors** to be the best bid to be in conformance with all contract requirements.

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

**SECTION 1.** The Mayor is hereby authorized and directed to accept the bid of **\$2,780.00** as submitted by **The John F. Gallagher Co. of 36360 Lakeland Boulevard, Eastlake, Ohio 44095**, substantially pursuant to the terms and conditions as identified in the ***Willoughby Hills City Hall/HVAC Preventative Maintenance Proposal***, attached hereto as **Exhibit B**, consisting of four (4) pages and incorporated herein by reference.

**SECTION 2.** The Mayor is hereby authorized and directed to accept the bid of **\$1,590.00** as submitted by **The John F. Gallagher Co. of 36360 Lakeland Boulevard, Eastlake, Ohio 44095**, substantially pursuant to the terms and conditions as identified in the ***Willoughby Hills Community Center/HVAC Preventative Maintenance Proposal***, attached hereto as **Exhibit C**, consisting of four (4) pages and incorporated herein by reference.

**SECTION 3.** The Mayor is hereby authorized and directed to accept the bid of **\$90.00** submitted by **The John F. Gallagher Co. of 36360 Lakeland Boulevard, Eastlake, Ohio 44095**, substantially pursuant to the terms and conditions as identified in the ***Willoughby Hills Trailer/HVAC Preventative Maintenance Proposal***, attached hereto as **Exhibit D**, consisting of four (4) pages and incorporated herein by reference.

**SECTION 4.** The Director of Finance is authorized and directed to return all bid bonds to the unsuccessful bidders.

**SECTION 5.** 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 6.** 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 a municipal department, and further reason being to allow the City to accept the bid proposals and enter into a contract with The John F. Gallagher Co. within 30 days; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: June 11, 2009

Submitted to the Mayor for his approval  
on this 11th day of June, 2009

ATTEST:

Victoria Ann Savage  
Victoria Ann Savage, CMC  
*Clerk of Council*

Kevin D. Malecek  
Kevin D. Malecek  
*President of Council*

Approved by the Mayor

Robert M. Weger  
Robert M. Weger  
*Mayor*