

KEVIN D. MALECEK  
President of Council

DAVID A. REICHELT  
Vice President of Council

VICTORIA ANN SAVAGE, CMC  
Clerk of Council

# City of Willoughby Hills

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FRANK A. GERMANO  
RAYMOND C. SOMICH

## ORDINANCE NO. 2011-41

### **AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE AND STONE FOR THE PURCHASE OF ASPHALT FOR THE YEAR 2011 AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Council of The City of Willoughby Hills on January 13, 2011, by motion, granted the Mayor authorization to advertise for bids regarding the City's requirement for asphalt for the year 2011; and

**WHEREAS**, the Council of the City of Willoughby Hills has reviewed and accepts the recommendations as provided by the Mayor in his Memorandum, dated March 3, 2011 directed to Council President Malecek, attached hereto as **Exhibit "A"**, consisting of four (4) pages and incorporated herein by reference, finding the following bid of: **\$58.00** per ton/picked up and **\$65.00** per ton/delivered for ODOT #448-Type 1 Asphalt Concrete, Surface Course; **\$50.00** per ton/picked up and **\$57.00** per ton/delivered for ODOT #448-Type 2 Asphalt Concrete, Intermediate Course; **\$50.00** per ton/picked up and **\$57.00** per ton/delivered for ODOT #301 Asphalt Concrete Base as submitted by Osborne Concrete & Stone, Inc. to be the lowest bid 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 as submitted by Osborne Concrete and Stone of P. O. Box 249, One Williams Street, Grand River, Ohio 44045, substantially pursuant to the terms and conditions as identified in the bid, opened on March 3, 2011, attached hereto as part of **Exhibit "A"**, consisting of four (4) pages and incorporated herein by reference, for the City's asphalt requirements for the year 2011.

**SECTION 2.** The Director of Finance is authorized and directed to return all bid bonds to the unsuccessful bidders.

**SECTION 3.** 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 4.** 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 City's Service Department, and further reason being to allow the City to accept the bid and enter into a contract with Osborne Concrete & Stone; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: June 27, 2011

Submitted to the Mayor for his approval  
on this June 27 day of June, 2011

ATTEST:

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

Kevin D. Malecek  
Kevin D. Malecek  
President of Council

Approved by the Mayor  
June 27, 2011

Robert M. Weger  
Robert M. Weger  
Mayor