

DAVID A. REICHEL
President of Council

NANCY E. FELLOWS
Vice President of Council

VICTORIA ANN SAVAGE, CMC
Clerk of Council

City of Willoughby Hills

ORDINANCE NO. 2012-16

Council
CHRISTOPHER L. BIRO
DAVID M. FIEBIG
FRANK A. GERMANO
KEVIN D. MALECEK
RAYMOND C. SOMICH

AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE & STONE FOR THE PURCHASE OF ASPHALT FOR THE YEAR 2012 AND DECLARING AN EMERGENCY.

WHEREAS, the Council of The City of Willoughby Hills on March 8, 2012, by motion, granted the Mayor authorization to advertise for bids regarding the City's requirement for asphalt for the year 2012; and

WHEREAS, at the Regular Council Meeting held on March 22, 2012, the Mayor reported that there was a bid opening held earlier in the day for the City's requirements of Limestone and Asphalt; the apparent low and best bidders were The Arms Trucking Co. for Limestone and Osborne Concrete & Stone for Asphalt; and

WHEREAS, the Mayor stated that information pertaining to the bids was provided to the President of Council, by an Interoffice Memo, dated March 22, 2012, attached hereto as a part of **Exhibit "A"**, and requested that Council review the bids as presented; and

WHEREAS, the Mayor then announced that it was his recommendation and that of the of Road Superintendent Nate Catania to accept the bid submitted by The Arms Trucking Co. for Limestone and the bid of Osborne Concrete & Stone for Asphalt; and

WHEREAS, the Council of the City of Willoughby Hills has reviewed and honors the request of the Mayor to accept the following bid of : **\$60.00** per ton/picked up and **\$67.00** per ton/delivered for ODOT #448-Type 1 Asphalt Concrete, Surface Course; **\$52.00** per ton/picked up and **\$59.00** per ton/delivered for ODOT #448-Type 2 Asphalt Concrete, Intermediate Course; **\$52.00** per ton/picked up and **\$59.00** per ton/delivered for ODOT #301 Asphalt Concrete Base as submitted by Osborne Concrete & Stone, Inc., attached hereto as **Exhibit "A"**, consisting of three (3) pages and incorporated herein by reference.

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 & Stone, of 1 Williams Street, P. O. Box 249, Grand River, Ohio 44045, substantially pursuant to the terms and conditions as identified in the bid, opened on March 22, 2012, attached hereto as part of **Exhibit "A"**, consisting of three (3) pages and incorporated herein by reference, for the City's asphalt requirements for the year 2012.

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 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: _____, 2012

Submitted to the Mayor for his approval
on this _____ day of _____, 2012

ATTEST:

Victoria Ann Savage, CMC
Clerk of Council

David A. Reichelt
President of Council

Approved by the Mayor

_____, 2012

Robert M. Weger
Mayor