

City of Willoughby Hills

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ORDINANCE NO. 2010-21

AN ORDINANCE ACCEPTING THE BID OF OSBORNE CONCRETE AND STONE FOR THE PURCHASE OF ASPHALT FOR THE YEAR 2010 AND DECLARING AN EMERGENCY.

WHEREAS, the Council of The City of Willoughby Hills on March 25, 2010, by motion, granted the Mayor authorization to advertise for bids regarding the City's requirement for asphalt for the year 2010; 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 May 13, 2010 directed to Council President Malecek, attached hereto as "Exhibit A", consisting of nine (9) 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; **\$60.00** per ton/picked up and **\$67.00** per ton/delivered for ODOT #448-Type 2 Asphalt Concrete, Intermediate Course; **\$54.00** per ton/picked up and **\$61.00** 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 April 30, 2010, attached hereto as part of "Exhibit A", consisting of nine (9) pages and incorporated herein by reference, for the City's asphalt requirements for the year 2010.

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 within 30 days as specified in the bid proposal of Osborne Concrete & Stone; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: May 27, 2010

Submitted to the Mayor for his approval
on this 27 day of May, 2010

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Kevin D. Malecek
Kevin D. Malecek
President of Council

Approved by the Mayor

May 27, 2010

Robert M. Weger
Robert M. Weger
Mayor