ORDINANCE 2003-63
Passed November 18, 2003

AN ORDINANCE AUTHORIZING COMPLETION OF THE POWELL PARK DEVELOPMENT PHASE 1, TREE DEMOLITION AND RELOCATION PROJECT, FURTHER AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS, ACCEPT THE LOWEST AND BEST BID FOR THE ABOVE-REFERENCED PROJECT, AND CONTRACT THE PROJECT IN AN AMOUNT NOT TO EXCEED THE ESTIMATES, AND DECLARING AN EMERGENCY.

WHEREAS, Council has considered general estimates for completion of the Powell Park Development Phase 1, Tree Demolition and Relocation project in the amount of Ninety-Five Thousand Three Hundred Forty dollars ($95,340, which includes a 5% contingency), and

WHEREAS, Council has determined to proceed with beginning of this project during the year 2003, and has further authorized preparation of engineer's estimates and solicitation for bids, and

WHEREAS, it is hereby determined that an emergency exists to begin this project during the winter, prior to the construction park improvements.

NOW THEREFORE BE IT ORDAINED BY THE MUNICIPALITY OF POWELL, DELAWARE COUNTY, OHIO AS FOLLOWS:

Section 1: The City Engineer is directed to prepare final engineer's estimates and authorized to have plans and specifications prepared for the completion of the Powell Park Development Phase 1 Tree Demolition and Relocation Project in accordance with the descriptions of the project attached hereto, and to advertise for bids in a manner which the City Manager deems appropriate including an advertisement in a newspaper of general circulation in the Municipality for not less than two (2) nor more than four (4) consecutive weeks.

Section 2: The City Manager may reject any and all bids or accept a bid with the lowest responsible responsive bidder or bidders and contract with the bidder or bidders.

Section 3: The City Manager may not accept a bid in excess of ten percent (10%) of the City Engineer's estimate and the authorization for expenditure of funds contained herein shall not exceed the use of One Hundred Four Thousand Eight Hundred and Seventy Four dollars ($104,874.00).

Section 4: That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of the Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the Municipality of Powell, Delaware County, Ohio.

Section 5: That Council declares this to be an emergency measure immediately necessary to finish this project to the beginning of the park improvement construction project. Wherefore, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

VOTE ON RULE SUSPENSION: Y 6 N 0

VOTE ON ORDINANCE 2003-63: Y 6 N 0

Art Schultz 12/1/03
Art Schultz Date
Mayor

Sue D. Ross 12/1/03
Sue D. Ross Date
Deputy Clerk of Council

This ordinance or resolution has been posted in three (3) public places as defined in ordinance 94-11 dated 4-3-94 on this date 12-3-03.

Sue D. Ross
Clerk of Council

CITY OF POWELL DELAWARE COUNTY, OHIO