

ORDINANCE NO. 2005-36
Passed June 21, 2005

AN ORDINANCE AUTHORIZING COMPLETION OF THE 2005 STREET MAINTENANCE AND REPAIR PROGRAM, FURTHER AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS, ACCEPT THE LOWEST RESPONSIBLE RESPONSIVE AND BEST BIDS FOR THE ABOVE-REFERENCED PROJECT, AND CONTRACT THE PROJECT IN AN AMOUNT NOT TO EXCEED THE ESTIMATES, IN ACCORDANCE WITH APPROPRIATIONS FOR THE CALENDAR YEAR 2005 AND DECLARING AN EMERGENCY.

WHEREAS, Council has considered general estimates for completion of the 2005 Street Maintenance and Repair Program project in the amount of Three Hundred Fifty-Four Thousand Forty-Four Dollars and Fifteen Cents (\$354,044.15), and

WHEREAS, Council has determined to proceed with completion of this capital improvement project during the year 2005, 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 summer construction period.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF POWELL, DELAWARE COUNTY, OHIO

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 2005 Street Maintenance and Repair Program 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 Three Hundred Eighty-Nine Thousand Four Hundred Forty-Eight Dollars and Fifty-Six Cents (\$389,448.56).

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 begin this project during the summer construction period to improve roadway conditions for public safety and welfare. Wherefore, this Ordinance shall take effect and be in force from and after its passage and approval by the Mayor.

VOTE ON RULE SUSPENSION:

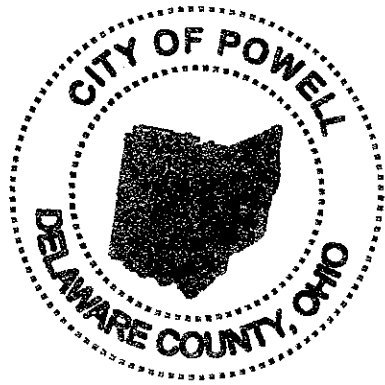
Y 6 N 0

VOTE ON ORDINANCE 2005-36:

Y 6 N 0

Jim Seta 6/21/05
 Jim Seta Date
 Vice President of Council

Susie Ross 6/21/05
 Susie Ross Date
 Clerk of Council



This legislation has been posted in accordance with
 the City Charter on this date 6/24/05.

Susie Ross
 Clerk of Council