ORDINANCE 2005-38
Passed July 19, 2005

AN ORDINANCE AUTHORIZING COMPLETION OF THE 2005 SIDEWALK PROGRAM, FURTHER AUTHORIZING THE CITY MANAGER TO SOLICIT BIDS, ACCEPT THE LOWEST RESPONSIBLE, RESPONSIVE AND BEST BID 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 Sidewalk Program Project in the amount of Twenty Three Thousand Eight Hundred Fifteen Dollars and Zero Cents ($23,815.00), 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 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 2005 Sidewalk Program Project and to advertise for bids in a manner which the City Manager deems appropriated including an advertisement in a newspaper of general circulation in the Municipality for not less that 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 Twenty Six Thousand One Hundred Ninety Six Dollars and Fifty Cents ($26,196.50).

Section 4: That it is hereby found and determined that all formal actions of this Council concerning and relating to passage of this Ordinance were adopted in an open meeting of the Council and that all deliberations of this Council and any of the decision making bodies of the Municipality of Powell which resulted in such formal actions were in meetings so 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 summer construction period to improve sidewalk 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 RULE SUSPENSION Y 6 N 0

VOTE ON ORDINANCE 2005-38 Y 6 N 0

8/2/05

Dan Wiencek — Date
Mayor

CITY OF POWELL OHIO

8/2/05

Susie Ross — Date
City Clerk

This legislation has been posted in accordance with the City Charter on this date 8/3/05.

Clerk of Council