

ORDINANCE NO. 4-89

AN ORDINANCE APPROVING THE ACCEPTANCE OF THE LOWEST AND BEST BID BY THE SPENCER VILLAGE BOARD OF TRUSTEES OF PUBLIC AFFAIRS OF ON SITE PRODUCTION, INC. FOR THE JEFFERSON STREET IMPROVEMENT, AUTHORIZING THE EXPENDITURE OF FUNDS FOR SAID IMPROVEMENT CONTRACT, APPROVING AND AUTHORIZING THE CONTRACT FOR SAID IMPROVEMENT BY THE SPENCER VILLAGE BOARD OF TRUSTEES FOR PUBLIC AFFAIRS AND DECLARING AN EMERGENCY

BE IT ORDAINED, by the Council of the Village of Spencer, Ohio, three-fourths of its members concurring herein as follows:

1. The acceptance by the Spencer Village Board of Trustees for Public Affairs of the bid of On Site Production, Inc., P. O. Box 3332, 120 Bank Street, Creston, Ohio 44217-3332 as the lowest and best bid for the Jefferson Street improvement is hereby approved.
2. The expenditure of Thirty Eight Thousand Five Hundred Fourteen and no/100 Dollars (\$38,514.00) by the Spencer Village Board of Trustees for Public Affairs for the Jefferson Street improvement contract is hereby authorized and approved. Said expenditure shall be charged to the Firestone Trust Fund.
3. The contract of the Spencer Village Board of Trustees for Public Affairs with said lowest and best bidder is hereby authorized and approved.

4. This ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health, safety and welfare of the Village of Spencer, Ohio and for the particular reason that immediate repairs are needed to the Jefferson Street sewer system to continue proper public service in that area and that this ordinance shall be in full force and effect from and after its passage.

PASSED: April 26, 1989



MAYOR

ATTEST:



Clerk

CONTRACT

This AGREEMENT, made and entered into this 26th day of APRIL, 1989, by and between the VILLAGE OF SPENCER, OHIO by its Council, as authorized by Ordinance No. 4-89, said Village being hereinafter called the "VILLAGE", and ON SITE PRODUCTION, INC. hereinafter called the 'CONTRACTOR'.

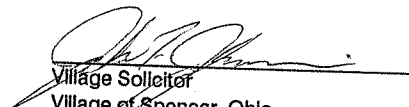
WITNESSETH, that said 'CONTRACTOR' has agreed and by these presents does agree with the 'VILLAGE', for the consideration herein written and contained in the proposal, and under the penalty expressed on the Contract Bond herein contained, to furnish, at his own proper cost and expense, all necessary labor, materials, tools, supervision and equipment of every description and to carry out in a good, firm and substantial manner, the construction of the items of work contained in the proposal, in accordance with plans and specifications for The Jefferson Street Sanitary Sewer Project dated APRIL 26, 1989, and also in full accord and compliance with the following:

ARTICLE I: The VILLAGE agrees to pay, and the CONTRACTOR agrees to accept as full payment for all work done, for all labor, materials, tools, supervision and equipment furnished for all costs and expenses incurred, for all damages sustained, and for each and every matter, thing or act performed, furnished or suffered, in the full and complete performance of all acts and requirements incidental and for the completion of the work of this contract in accordance with the terms, conditions and provisions thereof, at the unit prices as stated and contained in the proposal.

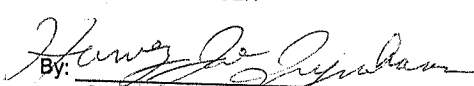
ARTICLE II: The plans and specifications of the Village Engineer on file with the Village Clerk pertaining to the subject improvement, the information to bidders, the bid of the Contractor, the construction bond and all other related documents are hereby made a part of this contract by reference.

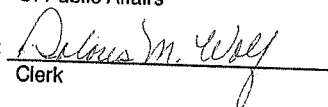
IN WITNESS WHEREOF, The parties hereunto affirmed their signatures the day and year mentioned above.

APPROVED FOR LEGAL FORM:

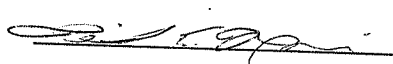

Village Solicitor
Village of Spencer, Ohio

VILLAGE OF SPENCER

By: 
Chairman, Board of Trustees
Of Public Affairs

By: 
Clerk

CONTRACTOR:

By: 
David E. McLevin, V.P.

Address: 120 Bank St.
Croston, OH
435-4484