

## ORDINANCE NO. 19-10

**AN ORDINANCE DETERMINING THAT REPLACEMENT OF APPROXIMATELY 1,300 FEET OF WATER MAIN AND INSTALLATION OF DITCH ENCLOSED STORM SEWERS ALONG THE EAST AND WEST SIDES OF STUART STREET, TOGETHER WITH NECESSARY APPURTENANCES, SHOULD BE MADE, ACCEPTING THE LOWEST AND BEST BID FOR SAID IMPROVEMENTS, AUTHORIZING THE MAYOR AND THE VILLAGE FISCAL OFFICER TO ENTER INTO A CONTRACT WITH THE SUCCESSFUL BIDDER FOR SAID IMPROVEMENT, AUTHORIZING PAYMENT OF THE CONTRACT PRICE FROM THE APPROPRIATE FUND AND DECLARING AN EMERGENCY**

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Spencer, Ohio, three-fourths (3/4) of its members concurring herein as follows:

1. That the improvement of Stuart Street by way of replacing approximately 1,300 feet of water main and installing ditch enclosed storm sewers along the east and west sides of Stuart Street in the Village of Spencer, together with necessary appurtenances, should be made in accordance with the plans and specifications on file in the office of the Village Fiscal Officer of this Village Council;

2. That the bid of Dellinger Excavating Inc. in the amount of One Hundred Sixty-five Thousand Fifty-eight and 36/100 Dollars (\$165,058.36) is hereby declared to be the lowest and best bid and is accepted by the Village of Spencer;

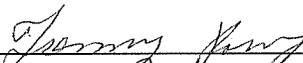
3. That the Mayor and the Village Fiscal Officer are hereby authorized and directed to enter into a contract with the successful bidder on a contract form approved by the Village Solicitor;

4. That the contract price is hereby appropriated and shall be paid in accordance with said contract with 75 percent being paid from a grant with the Ohio Public Works Commission,

12.5 percent being paid from the Village of Spencer Water Fund, and 12.5 percent being paid from the Firestone Fund No. 2902.

5. That this Ordinance is hereby determined to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of said Village and for the particular reason that it is immediately necessary to accept such bid and enter into a contract with a successful bidder in order to take advantage of the best and lowest bid and to commence work on improvements as soon as practical during the current building season, and that this Ordinance shall be in full force and effect from and after its passage.

PASSED: July 28, 2010

  
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TOMMY RAMEY, Mayor

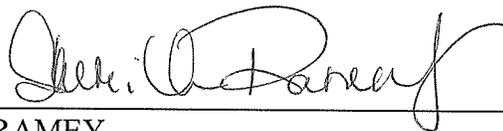
ATTEST:

  
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SHERI RAMEY, Village Fiscal Officer

**CERTIFICATE**

The undersigned, Sheri Ramey, Spencer Village Fiscal Officer, hereby certifies that the foregoing is a true and exact copy of Ordinance No. 19-10 duly passed by Council for the Village of Spencer, Ohio, on the 28<sup>th</sup> day of July, 2010.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal at Spencer, Ohio, on this 28<sup>th</sup> day of July, 2010.



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SHERI RAMEY  
Village Fiscal Officer