

ORDINANCE NO. 33 - 2023

AN ORDINANCE ACCEPTING THE BID OF GEAUGA HIGHWAY COMPANY FOR THE DANA'S PARK AND WETLANDS TRAIL & BOARDWALK PROJECT, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SAME, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to law the Village Engineer advertised for bids for the Dana's Park Trail and Wetlands Park Trail & Boardwalk Project, the bids timely received having been publicly opened and read on September 1, 2023; and

WHEREAS, bids ranged from a low bid of \$132,200.00 to a high bid of \$245,550.00 as compared to the Engineer's opinion of probable construction cost of \$125,000.00; and

WHEREAS, the Engineer concluded and opined that the lowest bidder, Geauga Highway Company (Ohio entity no. 4790158), submitted a bid in conformance with all contract and legal requirements, that the company is a responsible bidder capable and qualified to perform the work, that the bid being only approximately 6% in excess of the estimate of probable construction cost does not warrant rejection of all bids and the re-bidding of the Project, and, the Engineer accordingly recommends the contract be awarded; and

WHEREAS, the Council accepts the findings and conclusions of the Village Engineer that Geauga Highway Company submitted the lowest and best bid, and does now pursuant to the Charter and plenary powers conferred upon the Village by §§ 3, 4 and 7 of Article XVIII of the Ohio Constitution award the contract.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF MADISON, LAKE COUNTY, STATE OF OHIO:

SECTION 1. That subject to the execution by the Fiscal Officer of a certificate of availability of funds, the bid of Geauga Highway Company in the amount of One Hundred Thirty-Two Thousand Two Hundred Dollars and Zero Cents (\$132,200.00) is hereby accepted and the contract awarded.

SECTION 2. That the Mayor is hereby authorized to forthwith enter into a contract with Geauga Highway Company in accordance with the specifications of the Village Engineer, the bid, and the contract documents.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including § 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the inhabitants of the Village of Madison because timely award and start of the project is needed to meet contractual deadlines; WHEREFORE, this Ordinance shall take effect and be in force from and immediately upon passage.

PASSED:



Mark V. Vest, *H. Jay Adams*
Vice President of Council

1st Reading: September 25, 2023

Attested:



Kristie M. Crockett, Fiscal Officer / Clerk of Council

Approved:

Date: 9/25/2023



Sam Britton, Jr., Mayor