

ORDINANCE 08-40 AC CMS

AN ORDINANCE ACCEPTING THE BID OF D & M EARTHMOVING, LTD. OF WAKEMAN, OHIO, FOR THE NORTH PLEASANT AND WALNUT STREETS SCHOOL ZONE IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY

BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio, five-sevenths (5/7ths) of all members elected thereto concurring:

SECTION 1. That the bid of D & M Earthmoving, Ltd, of Wakeman, Ohio for the North Pleasant and Walnut Streets School Zone Improvement Project in the City of Oberlin, being the lowest and best bid received, is hereby accepted, and the City Manager is hereby authorized and directed to enter into a contract accordingly, said bid being in an amount not to exceed \$549,474.64.

SECTION 2. That this contract award is subject to and contingent upon the City's procurement of an anticipated Ohio Public Works Commission loan.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 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 and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit:

"to accept a bid within the time limitations provided by law" and shall take effect at the earliest date allowed by law.

PASSED: 1st Reading – June 16th, 2008
2nd Reading – July 7th, 2008 (E)
3rd Reading -

ATTEST:



Belinda B. Anderson
CLERK OF COUNCIL



David E. Sommer
PRESIDENT OF COUNCIL

POSTED: 07/08/08

EFFECTIVE DATE: 07/07/08