

## ORDINANCE 09-68 AC CMS

### AN ORDINANCE ACCEPTING THE BID OF TERRACE CONSTRUCTION COMPANY, INC. OF CLEVELAND, OHIO, FOR THE GENERAL TRADES CONSTRUCTION CONTRACT FOR THE PUBLIC IMPROVEMENTS AT THE EAST COLLEGE STREET PROJECT IN THE CITY OF OBERLIN 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 Terrace Construction, Inc. of Cleveland, Ohio, for the General Trades Construction Contract for the Public Improvements at the East College Street 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 in accordance with said bid, upon the specific condition that title to the real property upon which the improvements contemplated by the bid are to be constructed has been transferred to the City by October 2, 2009, said bid being in the amount of \$930,270.66, including Alternates 1 & 2. Alternates 1 & 2 in the total amount of \$77,130.00 shall be paid out of the Water Reserve Fund.

SECTION 2. 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 3. 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 immediately upon passage.

PASSED: 1st Reading – September 21, 2009 (E)  
2nd Reading -  
3rd Reading -

ATTEST:

  
Belinda B. Anderson  
CLERK OF COUNCIL

  
David E. Sonner  
PRESIDENT OF COUNCIL

POSTED: 9/22/2009

EFFECTIVE DATE: 9/21/2009