

ORDINANCE 09-70 AC CMS

AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH KS ASSOCIATES, INC. OF ELYRIA, OHIO, FOR BIDDING AND CONSTRUCTION SERVICES FOR THE PUBLIC IMPROVEMENTS AT THE EAST COLLEGE STREET PROJECT IN THE CITY OF OBERLIN, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the Development Agreement between the City of Oberlin and Sustainable Community Associates does specifically state that the City "shall be responsible for the costs of bidding, construction and construction administration for the Public Improvements"; and

WHEREAS, in order to proceed expeditiously, Sustainable Community Associates, with the consent of the City of Oberlin Public Works Department, did engage KS Associates, Inc. to prepare the bidding documents for the Public Improvements for the East College Street Project; and

WHEREAS, KS Associates, Inc. did perform said work, first under contract to Sustainable Community Associates and now under contract to the City of Oberlin Public Works Department; and

WHEREAS, the combined amounts of these contracts with KS Associates, Inc. exceed \$25,000.

NOW THEREFORE 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 agreement with KS Associates, Inc. of Elyria, Ohio for Bidding and Construction Services for the East College Street Project in the City of Oberlin, is hereby amended to provide payment for additional necessary services rendered, and the City Manager is hereby authorized and directed to enter into a revised contract in the amount of \$38,685.00.

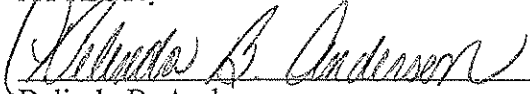
SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were 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:

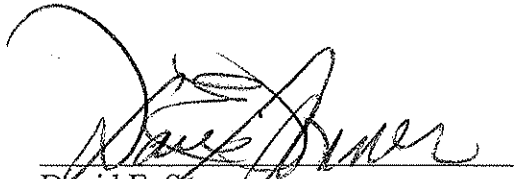
"to allow for timely payment for services rendered" and shall take effect immediately upon passage.

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