

ORDINANCE NO. 07-79 AC CMS

AN ORDINANCE DETERMINING THAT A REAL AND PRESENT EMERGENCY EXISTS IN REGARD TO THE CITY OF OBERLIN PUBLIC WORKS DEPARTMENT AND AUTHORIZING AN AMENDMENT TO THE PAVEMENT MAINTENANCE CONTRACT WITH 7L CONSTRUCTION, LLC. AND DECLARING AN EMERGENCY

WHEREAS, the Public Works Department solicited quotes not to exceed \$25,000 for each component of the 2007 Pavement Maintenance Program, and

WHEREAS, 7L Construction, LLC provided the lowest and best unit price quote for asphalt pavement planning and asphalt re-surfacing which quote was accepted by the Public Works Department in the amount of \$24,229 17; and

WHEREAS, 7L Construction, LLC has performed the requisite work in good faith as directed by the Public Works Department, and

WHEREAS, in conformance with Section 4115 034 of the Ohio Revised Code, the Ohio Department of Commerce, Division of Labor and Worker Safety has established the prevailing wage threshold for 'reconstruction, enlargement, alteration, repair, remodeling, renovation or painting' at \$20,955, and

WHEREAS, the necessity to conform with the forgoing requirement has caused the contract with 7L Construction, LLC to exceed the \$25,000 bidding threshold

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 City Manager is hereby authorized and directed to amend the contract with 7L Construction, LLC of Bellevue, Ohio in the amount of \$5,069 05

SECTION 2 That the immediate need for said amendment is hereby declared a real and present emergency arising in connection with the operation of the City of Oberlin Public Works Department pursuant to Section 735.051 of the Ohio Revised Code

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 provide for compliance with Section 4115 034 and Section 735 051 of the Ohio Revised Code"

and shall take effect immediately upon passage

PASSED 1st Reading - 10/01/2007 (E)
 2nd Reading -
 3rd Reading -

ATTEST



Belinda B Anderson
CLERK OF COUNCIL


Daniel Gardner
PRESIDENT OF COUNCIL

POSTED 10/02/2007

EFFECTIVE DATE 10/02/2007