

**CITY OF TWINSBURG, OHIO**

**ORDINANCE 42-2006**

AN ORDINANCE ACCEPTING THE BID OF KARVO PAVING COMPANY, 3432 STATE ROAD, SUITE A, CUYAHOGA FALLS, OHIO 44223, FOR THE 2006 ROAD IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY

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**WHEREAS**, this Council has heretofore authorized the Mayor to solicit bids for the 2006 Road Improvement Project; and

**WHEREAS**, the Clerk of this Council did cause legal notice to be published in the Akron Beacon Journal soliciting such bids for two (2) consecutive weeks according to law, to wit: March 6, 2006 and March 13, 2006 with bid opening on the 21<sup>st</sup> day of March, 2006, at 9:00 AM; and

**WHEREAS**, the bid of Karvo Paving Company to furnish such road improvement project has been favorably recommended by the Administration and is therefore, in the opinion of this Council, the best bid received by the City and is reasonable.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Twinsburg, County of Summit and State of Ohio:

**SECTION I:** That the bid of Karvo Paving Company (“awardee”), made pursuant to this City’s plans and specifications for the furnishing of the 2006 Road Improvement Project is hereby determined to be the lowest and best bid received.

**SECTION II:** That the Mayor be, and she hereby is, authorized and directed to make and enter into a contract on behalf of the City of Twinsburg, Ohio, with said awardee in a form substantially in the form of Exhibit “A”, which includes the proposal and specifications, all of which are incorporated by reference herein.

**SECTION III:** That the Director of Finance, be and she hereby is, authorized and directed to make payment for the 2006 Road Improvement Project from Account Number 82-000-5259-50 2004 Capital Road Program, upon the presentation of invoices approved by the Mayor. Said payments shall not exceed the sum of SEVEN HUNDRED NINETY THREE THOUSAND FOUR HUNDRED ONE AND 50/100 DOLLARS (\$793,401.50)

**SECTION IV:** That any and all other bids so received by the Clerk of Council of the City, pursuant to said legal notice be, and the same are hereby rejected and the Clerk be, and she hereby is authorized and directed to return to such other bidders the certified checks, cash or bid bonds received accompanying such other bids upon execution of the indentures above referred to.

**SECTION V:** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were taken in open meeting or meetings of this Council, and that all deliberations of this Council were in meetings open to the public and in full compliance with all legal requirements, including without limitations, those set forth in Section 121.22 of the Ohio Revised Code.

**SECTION VI:** That this Ordinance is hereby declared to be an emergency measure, necessary for the immediate preservation of the public peace, health, safety welfare and convenience of the citizens of the City of Twinsburg, and for the additional reason of time limitations, and provided it receives the affirmative vote of five or more members of Council, it shall take effect and be in force immediately upon its passage and approval of the Mayor; otherwise, it shall take effect and be in force at the earliest period allowed by law.

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

\_\_\_\_\_  
Bill Furey, President of Council

Submitted to the Mayor for approval this  
\_\_\_\_\_ day of \_\_\_\_\_, 2006

Approved by the Mayor \_\_\_\_\_, 2006

\_\_\_\_\_  
Katherine A. Procop, Mayor

PROPOSED

ATTEST:

\_\_\_\_\_  
Cynthia A. Kaderle, CMC  
Clerk of Council

1<sup>st</sup> Rdg. \_\_\_\_\_  
2<sup>nd</sup> Rdg. \_\_\_\_\_  
3<sup>rd</sup> Rdg. \_\_\_\_\_

Passed: \_\_\_\_\_

Yes \_\_\_\_\_ No \_\_\_\_\_

**CERTIFICATE OF POSTING**

I, Cynthia A Kaderle, Clerk of Council, of the City of Twinsburg, State of Ohio, do hereby certify that publication of the foregoing ordinances, resolutions was duly made by posting true copies thereof at five of the most public places in said City as determined by Section 113.02 of the Codified Ordinances of the City of Twinsburg; each for a period of fifteen days commencing on the \_\_\_\_\_ day of \_\_\_\_\_, 2006

\_\_\_\_\_  
Cynthia A. Kaderle, CMC  
Clerk of Council  
City of Twinsburg

PROPOSED