

CITY OF TWINSBURG, OHIO

ORDINANCE 05-2007

AN ORDINANCE ACCEPTING THE BID OF TRI-MOR CORPORATION, 8530 NORTH BOYLE PARKWAY, TWINSBURG, OHIO 44087, FOR THE GARY DRIVE & CYNTHIA DRIVE IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY

WHEREAS, this Council has heretofore authorized the Mayor to solicit bids for the Gary Drive & Cynthia Drive 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: November 23, 2006 and November 30, 2006 with bid opening on the 8th day of December, 2006, at 9:00 AM; and

WHEREAS, the bid of Tri-Mor Corporation 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 Tri-Mor Corporation ("awardee"), made pursuant to this City's plans and specifications for the furnishing of the Gary Drive & Cynthia Drive 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 Gary Drive & Cynthia Drive Improvement Project from Account Number 82-000-5262-50 Capital/Gary/Cynthia and Account Number 77-000-5252-04 Gary Water Line, upon the presentation of invoices approved by the Mayor. Said payments shall not exceed the sum of ONE MILLION SIX HUNDRED FORTY SIX THOUSAND SEVENTY FIVE AND 50/100 DOLLARS (\$1,646,075.50)

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: Jan. 9 2007

APPROVED: _____




Bill Furey, President of Council

Submitted to the Mayor for approval this
10th day of Jan, 2007

Approved by the Mayor _____, 2007

Katherine A. Procop, Mayor

ATTEST:



Cynthia A. Kaderle, CMC
Clerk of Council

1st Rdg. 1-9-07

2nd Rdg. 1-9-07


3rd Rdg. 1-9-07

Passed: 1-9-07

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 12 day of Jan, 2007



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