

ORDINANCE NO. 1780 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MARK'S EXCAVATING AND TRUCKING COMPANY OF NORWALK, OHIO, FOR THE COMPLETION OF CERTAIN IMPROVEMENTS TO ARTINO AVENUE WITHIN 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. The City Manager is hereby authorized to enter into a contract with Mark's Excavating and Trucking Company of Norwalk, Ohio, for the completion of certain improvements to Artino Avenue within the City of Oberlin, for an amount not to exceed \$109,491.75, said improvements being contained within the plans and specifications for the project as prepared by Burgess and Niple, Ltd., consulting engineers, for the City of Oberlin. Said plans and specifications are incorporated herein by reference.

SECTION 2. The City Manager and the City Solicitor are hereby further authorized to terminate the contract of Val Excavating, Inc., of Lorain, Ohio, the original contractor, and take any and all other actions necessary to recover from Val Excavating, Inc., and its bonding company, any damages sustained or that may be sustained by the City of Oberlin concerning this matter.

SECTION 3. That said contract is hereby declared to constitute a real and present emergency arising in connection with the operation and maintenance of the Department of Public Works of the City of Oberlin, pursuant to Section 735.051 of the Ohio Revised Code.

SECTION 4. 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 the 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.

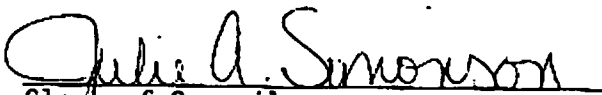
SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio, to-wit:

"to attempt to complete construction of the extension of Artino Avenue within the City of Oberlin within the time periods allowed by law"

and shall take effect immediately upon passage.

PASSED: 1st Reading - May 7, 1984 (Emergency)
2nd Reading -
3rd Reading -

ATTEST:


Clerk of Council


Chairman of Council

POSTED: May 8, 1984