

ORDINANCE NO. 00-111 AC CMS

AN ORDINANCE ACCEPTING THE BID OF FARABEE CONSTRUCTION, INC., OF HICKMAN, NEBRASKA, FOR THE CIVIL, MECHANICAL AND ELECTRICAL WORK TO INSTALL TWO GENERATORS AT THE OBERLIN MUNICIPAL LIGHT & POWER SYSTEM 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. That the bid of Farabee Construction of Hickman, Nebraska, for the civil, mechanical and electrical work to install two generators at the Oberlin Municipal Light & Power System is hereby accepted, and the City Manager is hereby authorized and directed to enter into a contract in accordance with their bid, and in an amount not to exceed \$745,000.

SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or related 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, safety and welfare of the citizens of the City of Oberlin, Ohio, to wit:

"to enter into contract within time constraints fixed by the competitive bidding process and to provide for the usual daily operation of a municipal department", and shall take effect immediately upon passage.

PASSED: 1st Reading - November 20, 2000 (E)
2nd Reading -
3rd Reading -

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: November 21, 2000

EFFECTIVE DATE: November 21, 2000

CONTRACT AGREEMENT

THIS AGREEMENT, made and entered into as of the 20th day of November, 2000, by Farabee Construction, Inc., Box 188, Hickman, NE 68372, hereinafter called the "Contractor" and the City of Oberlin, Ohio, 289 South Professor St., Oberlin, OH 44074, hereinafter called the "Owner".

IT IS AGREED THAT:

ARTICLE I - SCOPE OF WORK: The Contractor shall furnish the necessary labor, equipment and material for the completion of the Work as set forth in the Specifications and Plans identified as "CIVIL, MECHANICAL AND ELECTRICAL WORK TO INSTALL TWO DUAL FUEL TWO DIESEL ENGINE ELECTRICAL GENERATING UNITS AND AUXILIARY EQUIPMENT OBERLIN MUNICIPAL LIGHT AND POWER, OBERLIN, OHIO, PROJECT NO. 00686, 2000".

ARTICLE II - CONTRACT SUM: The Owner shall pay the Contractor for the performance of this Contract according to the following schedule of prices:

BID ITEM I

To unload, move, set, align and grout two new Fairbanks-Morse dual fuel diesel engine electrical generating units, each rated 3165 KW; and provide civil, mechanical, and electrical work, for the complete installation of these two units; all for the lump sum price of Seven Hundred Thirty-Five Thousand Dollars (\$735,000.00).

BID ITEM II

To furnish and install new voltage regulators, var/power factor controllers, control power transformers, engine shutdown contact and wiring for Generator No. 5 and No. 6 complete, all for the lump sum price of Ten Thousand Dollars (\$10,000.00).

ARTICLE III - COMPLETION TIME: The Contractor shall complete the work as specified by May 31, 2001.

ARTICLE IV - CONTRACT DOCUMENTS: The Contract Documents shall consist of the following component parts:

A. LEGAL AND PROCEDURAL DOCUMENTS

- (a) Notice of Public Hearing and Letting
Notice to Contractors
Advertisement for Bids
- (b) Contractor's Proposal
- (c) Proposal Guarantee
- (d) Contract Agreement
- (e) Performance/Maintenance Bond
- (f) Payment Bond
- (g) Certificate of Insurance

B. GENERAL CONDITIONS

C. SPECIAL CONDITIONS

D. SPECIFICATIONS

E. PLANS

F. ADDENDA

G. CHANGE ORDERS

THIS DOCUMENT, together with the other Documents herein above mentioned, form the Contract, and they are as fully a part of this Contract as if hereto attached or herein repeated.

IN WITNESS WHEREOF, the Parties hereto have caused this Document to be executed in three (3) original counterparts as of the day and year first above written.

OWNER:
City of Oberlin, Ohio
289 South Professor St.
Oberlin, OH 44074

(SEAL)

COUNTERSIGNED
(Or Attested)

Chiyatal Howard

Date 11/29/00

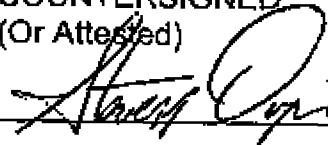
By 

Title CITY MANAGER

Date 11/29/00

CONTRACTOR
Farabee Construction, Inc.
Box 188
Hickman, NE 68372

COUNTERSIGNED
(Or Attested)



Date 11-29-2000

By 

Title President FCI

Telephone No. 402-792-2900

Date 11/29/2000

NOTICE OF AWARD

To: Farabee Construction, Inc.
Box 188, 7600 Panama Road
Hickman, NE 68372

The City of Oberlin, Ohio, having considered the Bid submitted by you for Civil, Mechanical and Electrical Work to Install Two Dual Fuel Diesel Engine Electrical Generating Units and Auxiliary Equipment in response to the Advertisement for Bids dated November 2, 2000 and in the amount of \$745,000 does hereby notify you that your Bid has been accepted by City Ordinance No. 00-111 AC CMS. The following variations from the Specifications and Bid Instructions have been allowed: None

You are required to execute the Agreement within ten (10) calendar days from the date of this Notice to you. If you fail to execute said Agreement within ten (10) calendar days of the date of this Notice, the City of Oberlin will be entitled to consider all your rights arising out of the City's acceptance of your Bid as abandoned and as a forfeiture of your Bid Security. The City of Oberlin will also be entitled to such other rights as may be granted by law.

City of Oberlin, Ohio

By: *Robert J. Smith*

Title: CITY MANAGER

Date: November 21, 2000

Acceptance of Notice Award

Receipt of the above Notice of Award is hereby acknowledged by

Farabee Const. Inc., this 29 day of Nov, 2000.

By: *Dan A. Farabee*

Title: *Pres*