

ORDINANCE NO. 03-22 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ATLAS ELECTRICAL CONSTRUCTION, INC., OF ELYRIA, OHIO, FOR THE PURCHASE AND INSTALLATION OF AN EMERGENCY ELECTRICAL GENERATOR FOR THE OBERLIN FIRE DEPARTMENT 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 Atlas Electrical Construction, Inc., of Elyria, Ohio, for the purchase and installation of an emergency electrical generator for the City of Oberlin Fire Department, being the lowest and best bid submitted, is hereby accepted, and the City Manager is hereby authorized and directed to enter into a contract for same in the amount of \$48,650.

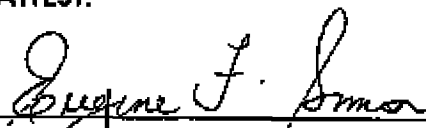
SECTION 2. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of public peace, health, and safety of the citizens of the City of Oberlin, Ohio, to wit:

"to expedite the installation of a new emergency generator at the Oberlin Fire Department to ensure the efficient operation of the City of Oberlin," and shall take effect immediately upon passage.

PASSED: 1st Reading - March 17, 2003 (E)
2nd Reading -
3rd Reading -

ATTEST:


CLERK OF COUNCIL


CHAIR OF COUNCIL

POSTED: 3/18/2003

EFFECTIVE DATE: 3/18/2003

NOTICE OF AWARD

To: Atlas Electrical Construction, Inc
7974 N. Murray Ridge Road
Elyria OH 44036-0695

The City of Oberlin, Ohio, having considered the Bid submitted by you for Kohler Global Power System and installation for the Oberlin fire station in response to the Advertisement for Bids dated February 28, 2003 and in the amount of \$48,650 does hereby notify you that your Bid has been accepted by City of Oberlin Ordinance No 03-22 AC CMS, dated March 17, 2003

The following variations from the Specifications and Bid Instructions have been allowed:

Exception to Specifications None

Delivery shall be on or before 60 calendar days following signing of Agreement by the City

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 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 Bond. The City of Oberlin will also be entitled to such other rights as may be granted by law.

City of Oberlin, Ohio

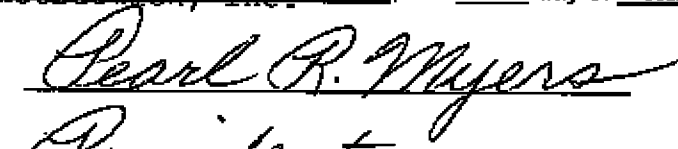
By: 

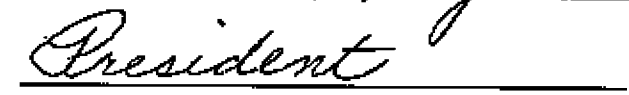
Title City Manager Date: March 18, 2003

Acceptance of Notice of Award

Receipt of the above Notice of Award is hereby acknowledged by

Atlas Electrical
Construction, Inc. this 19th day of March, 2003

By: 

Title 

AGREEMENT

This Agreement, made this 19 day of March, 2003 by and between the City of Oberlin, Ohio, hereinafter called the "Owner", acting herein through its City Manager, and Atlas Electrical Construction, Inc. doing business as a corporation in the City of Elyria, County of Lorain, and State of Ohio, hereinafter called the "Contractor."

WITNESSETH: That for and in consideration of the payments and agreements hereinafter mentioned:

- 1 The Contractor will furnish and deliver a 60 KW Kohler Gas Generator Set, Model 60RZG, Emergency Generator to the City of Oberlin Fire Department, 430 South Main Street, Oberlin Ohio 44074, in accordance to with the following Specifications and Contract Documents attached on or before February 28, 2003

A Notice of Award issued on March, 17 2003 for the sum of Forty Eight Thousand Six Hundred Fifty dollars (\$48,650)

2. The following variations from the Contract Documents and or options have been agreed to:

Approved drawings and Exceptions to Specifications.

3. The term "Contract Documents" means and includes the following.

- a) Advertisement for Bids
- b) Instruction to Bidders
- c) EEO Documentation
- d) Bid including all attachments thereto.
- e) Bid Bond
- f) Delinquent Personal Property Tax Affidavit
- g) Notice of Award
- h) Agreement
- i) Specifications and approved Exceptions to Specifications
- j) Drawings
- k) Addenda: No. 1 - January 31, 2003
 No. 2 - February 19, 2003

4. The Owner will pay to the Contractor in the manner and at such times as set forth in the Contract Documents, such amounts as required by this Agreement.
5. This Agreement shall be binding upon all parties hereto and their respective heirs, executors, administrators, successors, and assigns.

AGREEMENT (pg 2)

IN WITNESS WHEREOF, the parties hereto have executed, or caused to be executed by their duly authorized officials, this Agreement in three copies, each of which shall be deemed an original on the date first written above.

Owner City of Oberlin, Ohio

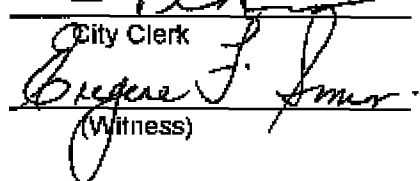
By: 

Title City Manager

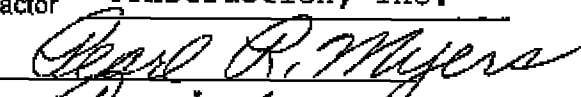
(Seal)

ATTEST:


City Clerk


(Witness)

Contractor Atlas Electrical
Construction, Inc.

By: 

Title: President

Address: 7974 N. Murray Ridge Rd.
P. O. Box 695

Elyria, Ohio 44036-0695
Phone: (440) 323-5418

(Seal)

ATTEST:


(Secretary, if Corporation)


(Witness)