

**RESOLUTION NO. 51-2017**

**INTRODUCED BY: Mayor Ann Marie Donegan**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT AND AWARDING THE CONTRACT FOR BID PACKAGE 1 FOR THE CONSTRUCTION OF THE PHASE V SANITARY SEWER PROJECT TO FABRIZI TRUCKING AND PAVING CO., INC. AS LOWEST AND BEST BIDDER, APPROPRIATING FUNDS THEREFOR, AND DECLARING AN EMERGENCY**

**WHEREAS**, pursuant to previously adopted Resolutions of Council determining to proceed with the Phase V Sanitary Sewer Project in the City and the authorizing of advertising for bids for same; the City has received bids for Bid Package 1 for the Phase V Sanitary Sewer Project (a copy of said bid tabulation is attached hereto); and

**WHEREAS**, the bid of the initial apparent low bidder, J.S. Bova Excavating LLC, was made with errors in the bid by the bidder and the bidder promptly notified the City engineer of such errors and withdrew such bid, thereby leaving Fabrizi Trucking & Paving Co., Inc. as the low bidder out of the remaining bidders; and

**WHEREAS**, the City engineer has reviewed the bids, qualifications, and experience of the bidders, including the lowest and best bid of Fabrizi Trucking & Paving Co., Inc. and the city engineer recommends the award of said contract to the lowest and best bidder, Fabrizi Trucking & Paving, Co., Inc. at One Million Six Hundred Ninety Thousand Five Hundred Sixty-Five Dollars (\$1,690,565.00) and is below the engineer's estimate. Now therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

**SECTION 1.** It is hereby declared that the construction of the Phase V Sanitary Sewer Project is a necessary and proper public improvement to promote the health, welfare and safety of the residents of the City of Olmsted Falls.

**SECTION 2.** This Council hereby accepts the recommendation of the Engineer and awards a contract for Bid Package 1 for the construction of the Phase V Sanitary Sewer Project, based upon plans and specifications prepared by the City Engineer, to Fabrizi Trucking and Paving Company, Inc. as the lowest and best bidder, with a cost of One Million Six Hundred Ninety Thousand Five Hundred Sixty-Five Dollars (\$1,690,565.00) and the Mayor is hereby authorized to enter into such contract on behalf of the City and the funds therefor are hereby appropriated from Fund No. 213, Phase V Construction Fund.

**SECTION 3.** The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 4.** This Ordinance is hereby declared to be an emergency measure for the immediate preservation of the health, safety and welfare of the residents of the City of Olmsted Falls for the reason that the Phase V Sanitary Sewer Project will enhance the health, welfare and safety of the citizens of Olmsted Falls. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

\_\_\_\_\_  
*Linda Garrity, Council President*

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

APPROVED: \_\_\_\_\_  
*Ann Marie Donegan, Mayor* *Date*

APPROVED AS TO FORM: \_\_\_\_\_  
*Gregory M. Sponseller, Director of Law*

ATTEST: \_\_\_\_\_  
*Angela Mancini, Clerk of Council*

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

	Yea	Nay
Garrity	_____	_____
Haviland	_____	_____
Sculac	_____	_____
Gorski	_____	_____
Stibich	_____	_____
Duncan	_____	_____
Miller	_____	_____