

ORDINANCE NO. 12-16

CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER John Palcher ON THE 11th DAY OF July, 2016.

AN EMERGENCY ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ALLOW THE EXTENSION OF THE BID VALIDITY DATE FOR UP TO 150 DAYS FOLLOWING THE DATE OF BID OPENING FOR THE CORNERSTONE OF CENTERVILLE, NORTH ON-SITE PUBLIC IMPROVEMENTS PHASE 3 ROADWAY IMPROVEMENTS PROJECT.

WHEREAS, the City of Centerville on March 28, 2016 adopted Resolution No. 24-16, which resolution accepted the bid submitted by Double Jay Construction, Inc. of Englewood, Ohio for the Cornerstone of Centerville, North on-site public improvements, phase 3 roadway improvements (Project SS-16) for public improvements associated with the Cornerstone of Centerville Development and authorizing the City Manager to enter into a contract in connection therewith; and

WHEREAS, Cornerstone Developers, LTD, the Developer for the Cornerstone of Centerville project, requested, after the Resolution 24-16 was adopted, that this Project be subject to Special Assessment Financing; and

WHEREAS, the contract with the successful bidder, Double Jay Construction, Inc. of Englewood, has not yet been executed by the City Manager; and

WHEREAS, pursuant to Section 1.1.012 of the Instructions to Bidders, which is incorporated into the requirements and obligations for successful bidders, a bid is to be valid for 120 days following the date of the bid opening; and

WHEREAS, Double Jay Construction, Inc. has agreed to waive this 120 day requirement and agrees to extend it to 150 days; and

WHEREAS, as a result of the delay in execution of the contract with Double Jay, the Project completion may have to be extended and there could be additional expenses as a result of the delay; and

WHEREAS, the City has determined that it will be beneficial for the City to allow for this thirty day extension and any additional costs are to be the responsibility of the Developer; and

WHEREAS, this Council, by this ordinance, in accordance with §7.07 of the Centerville Charter is hereby exercising its power of local self-government to authorize contracting procedures for the purchase of all supplies, materials and equipment for the Project through competitive bidding and as such may by ordinance set forth consistent procedures; and

WHEREAS, pursuant to the Charter and City Ordinances, this Council intends to allow the extension of thirty days for the bid to be valid for Double Jay Construction, Inc. and agrees to deviate from the bid process as set forth herein.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY ORDAINS:

Section 1. That the City Manager is authorized and directed to take all steps necessary to allow the successful bid for the Project to be valid for 150 days following the date of the bid opening and allow any necessary deviations from the bid process as required as a result of this additional thirty days, including, but not limited to, the extension of the completion date and costs associated with such extension.


Section 2. This ordinance is hereby declared to be an emergency measure and shall become effective immediately upon passage. An emergency affecting public safety and welfare is hereby declared to exist by virtue of the fact of the immediate necessity to facilitate the construction schedule of the public improvements. Therefore, this ordinance shall become effective immediately upon passage.

PASSED THIS 11th day of July, 2016.



Mayor of the City of
Centerville, Ohio

ATTEST:



Clerk of Council
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Ordinance No.

12-16, passed by the Council of the City of Centerville, Ohio on the 11th day of July, 2016.

Carin R. Andrews
Clerk of the Council

Approved as to form, consistency with the
Charter and Constitutional Provisions.

Department of Law
Scott A. Liberman
Municipal Attorney