

ORDINANCE NO. 7-91
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Mark Beesley ON THE
29th DAY OF APRIL, 1991.

AN EMERGENCY ORDINANCE AUTHORIZING THE
CITY MANAGER TO ENTER INTO A CONTRACT WITH
BILBREY CONSTRUCTION COMPANY FOR
CONSTRUCTION WORK IN STUBBS PARK.

WHEREAS, the Council of the City of Centerville is
desirous of having certain construction work done in Stubbs
Park as same is described in a proposal received from Bilbrey
Construction Company; and

WHEREAS, it was anticipated that the cost of said
construction work would not exceed \$10,000.00 and therefore
not subject to bidding in accordance with Section 35.30(A) of
the Centerville Municipal Code; and

WHEREAS, proposals for the construction were
nevertheless solicited and three were received the lowest and
best of which was submitted by Bilbrey Construction Company;
and

WHEREAS, because the work is a public works project
requiring that the prevailing wage rate be paid, the proposal
exceeded the estimate that the cost of the work would be less
than \$10,000.00 and the proposal does, in fact, exceed
\$10,000.00; and

WHEREAS, the Council for the City of Centerville
hereby determines that it is in the best interest of the
citizens of the City to have said construction completed in
time for the Fourth of July celebration of the Americana
Festival in Centerville; and

WHEREAS, if the public bidding process is now
pursued, said construction work cannot be completed by the
Fourth of July; and

WHEREAS, since more than one proposal was solicited
and received, the Council of the City of Centerville finds in
this one particular instance that strict adherence to the
public bidding process would be a futile act which would not
benefit the citizens of the City of Centerville;

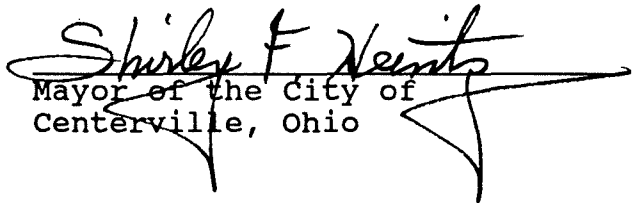
NOW, THEREFORE,

THE MUNICIPALITY HEREBY ORDAINS:

Section 1. That the City Manager is hereby authorized and directed to enter into an agreement with Bilbrey Construction Company for construction work in Stubbs Park all in accordance with the proposal of Bilbrey Construction Company as submitted by it subject to the exclusion of such work as the City Manager may determine to be in the best interests of the City.

Section 2. This Ordinance is hereby declared to be an emergency measure and shall therefore become effective on the date of passage. An emergency affecting public welfare is hereby declared to exist by virtue of the fact that the Council of the City of Centerville determines that it is in the best interests of its citizens to have said construction work completed by the Fourth of July Americana celebration.

PASSED THIS 29th day of April, 1991.


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. 7-91, passed by the Council of the City of Centerville, Ohio on the 29th day of April, 1991.


Clerk of Council

Approved as to form, consistency
with existing ordinances, the
charter & constitutional provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney