

RESOLUTION NO. 41-96
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER J.V. STONE ON THE 15th DAY
OF JULY, 1996.

A RESOLUTION ACCEPTING THE BID SUBMITTED BY BRUMBAUGH CONSTRUCTION, INC. FOR THE YANKEE STREET UNDERPASS IMPROVEMENT FOR THE CITY OF CENTERVILLE AND TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT IN CONNECTION THEREWITH.

WHEREAS, The City of Centerville advertised for bidders for the Yankee Street Underpass Improvement according to specifications prepared by the City; and

WHEREAS, Brumbaugh Construction, Inc. was the lowest and best bidder; and

WHEREAS, adjustments to the bid have been made and agreed to between the successful bidder and the City of Centerville which adjustments have resulted in a bid price which is closer to, but still exceeds the Engineer's Estimate; and

WHEREAS, Article XVIII, Section 3 of the Ohio Constitution grants to Ohio municipalities all powers of local self government; and

WHEREAS, the acceptance of bids and the letting of public contracts is the exercise of a power of local self government; and

WHEREAS, pursuant to a contract with Great Traditions Development, Inc. the City is legally bound to construct said improvement; and

WHEREAS, the Council of the City of Centerville hereby finds and determines that further advertising and bidding would not produce a better result and would only cause further delay and a possible default of its contractual obligations to Great Traditions Development, Inc.; and

WHEREAS, the Council of the City of Centerville hereby finds and determines that it would be in the best interests of the citizens of Centerville to accept said modified bid.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1. That the bid submitted by Brumbaugh Construction, Inc. marked as Exhibit "A" attached hereto and made a part hereof, as adjusted, is hereby accepted

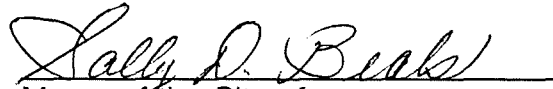


1700 ONE DAYTON CENTRE
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in the amount of \$560,000.00, and the City Manager is hereby authorized and directed to enter into any necessary contract to evidence acceptance of said bid and to make payment pursuant hereto.

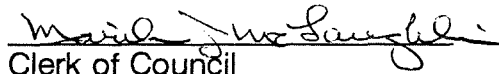
Section 2. Pursuant to Section 5.08 of the Centerville Charter, this resolution is effective immediately upon passage.

PASSED THIS 15th day of JULY, 1996.



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 Resolution No. 41-96, passed by the Council of the City of Centerville, Ohio on the 15th day of JULY, 1996.



Clerk of the Council

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

Department of Law
Robert N. Farquhar
Municipal Attorney

CVILLE\BRUMB.G.RNF


ALTICK
&
CORWIN
CO., L.P.A.

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