

RESOLUTION NO. 19-24
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Bill Serr ON
THE 19th DAY OF February, 2024.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO SUB-DIVIDER'S CONTRACT FOR INSTALLATION OF A SANITARY SEWER, ON BEHALF OF THE CITY OF CENTERVILLE WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO FOR THE INSTALLATION OF A SANITARY SEWER TO SERVE THE YANKEE AND SOCIAL ROW DEVELOPMENT.

WHEREAS, it is necessary for the City of Centerville to enter into a Sub-Divider's Contract with the Board of County Commissioners of Montgomery County, Ohio for the installation of a sanitary sewer to serve the Yankee and Social Row Development, and

WHEREAS, to accomplish this the Board of County Commissioners of Montgomery County, Ohio requires a Sub-Divider's Contract in consideration for the permitted to connect to the existing sanitary sewer lines in the Yankee and Social Row Development.

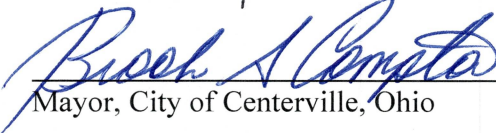
NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CENTERVILLE, MONTGOMERY COUNTY, OHIO, AS FOLLOWS:

Section 1. That the City Manager is hereby authorized and directed to enter into a Sub-Divier's Contract with the Board of County Commissioners of Montgomery County, Ohio in order to install a sanitary sewer for service to the Yankee and Social Row Development, a copy of which is attached hereto, marked Exhibit "A" and incorporated herein.

Section 2. That the City Manager is hereby authorized and directed to do any thing and everything necessary to carry out the terms of said Agreement.

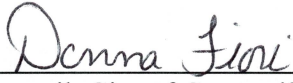
Section 3. That this Resolution shall be in full force and effect at the earliest date allowed by law.

PASSED this 19th day of February, 2024.



Mayor, City of Centerville, Ohio

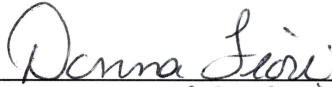
ATTEST:



Clerk of Council, City of Centerville, Ohio
(Acting)

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio hereby certifies that the foregoing is a true and correct copy of Resolution Number 19-24 passed by the Council of the City of Centerville, Ohio on the 19th day of February, 2024.



Clerk of Council (Acting)

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

Department of Law
Scott A. Liberman
Municipal Attorney



**SUB-DIVIDER'S CONTRACT FOR INSTALLATION
OF
SANITARY SEWER AND/OR WATER MAINS**

THIS AGREEMENT is made this ____ day of _____, 2024, by and between City of Centerville, Ohio, hereinafter referred to as "Sub-Divider," and THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO, hereinafter referred to as the "Board."

WITNESSETH:

In consideration for being permitted to file this plat and/or to connect to existing sanitary sewer lines and/or water mains in the Yankee and Social Row Development Plat, as shown by engineering drawings and specifications marked as follows; all of which are part of this contract:

NAME OF DRAWING	DRAWING NUMBER
Yankee and Social Row Development	11441.03

SPECIFICATIONS:

Standard specifications for the construction of sanitary sewer and water lines in Montgomery County and latest revisions:

Said work shall include the construction of approximately:

Water Mains:

- _____ feet of _____ inch D.C.I. Water Main
- _____ feet of _____ inch D.C.I. Water Main
- _____ each _____ inch Gate Valves and Valve Boxes
- _____ each _____ inch Gate Valves and Valve Boxes
- _____ each type "K" copper service line(s) including corp stop, curb stop, and box
- _____ Fire Hydrant(s)

Sanitary Sewer:

339	Lin. Ft. 8	inch diameter Sanitary Sewer Main
	Lin. Ft.	inch diameter Sanitary Sewer Main
		each 4" diameter Sanitary Sewer Lateral including wye or tee and plug
		each 6" diameter Sanitary Sewer Lateral including wye or tee and plug
	Lin. Ft. 0' - 8'	Sewer Excavation and Backfill
	Lin. Ft. 08' - 10'	Sewer Excavation and Backfill
339	Lin. Ft. 10' - 12'	Sewer Excavation and Backfill
	Lin. Ft. 12' - 14'	Sewer Excavation and Backfill
	Lin. Ft. 14' - 16'	Sewer Excavation and Backfill
	Lin. Ft. 16' - 18'	Sewer Excavation and Backfill
	Lin. Ft. 18' - 20'	Sewer Excavation and Backfill
3		Standard Manholes
		Drop Manholes
		Connections to existing Manholes
1		Tap Existing Sanitary Main

Final As-Built Drawings – shall consist of final tracings of the work actually constructed as outlined in the Montgomery County Rules & Regulations.

The Sub-Divider shall perform all work, including acceptable as-built drawings within two (2) years from the date of this Contract, but an extension may be granted if approved by the Board of County Commissioners.

The Sub-Divider shall guarantee all the work for a period of one (1) year from the date of written acceptance of the lines by the Sanitary Engineer, against defects resulting from the use of inferior materials, equipment or workmanship.

The Sub-Divider will be required during the life of the guarantee to make all repairs or changes in the guaranteed work, which in the opinion of the Sanitary Engineer, are necessary as the result of the use of materials, equipment, or workmanship which are inferior, defective or not in accordance with

the Standard Specifications/Rules and Regulations for construction of sanitary sewer and water lines in Montgomery County and latest revisions thereof.

The Sub-Divider shall within a period of seven (7) working days after receipt of notice from the Sanitary Engineer and without expense to the County proceed to remove and replace all unsatisfactory work with suitable materials, equipment and workmanship.

Failure by the Sub-Divider to proceed with the terms of the guarantee shall be sufficient reason for the County to have the defects corrected, and the Sub-Divider and his Surety shall be liable for the expenses incurred by the corrections.

If in the opinion of the Sanitary Engineer an emergency arises that jeopardizes continuity of service or public health, welfare, or safety, and the Sub-Divider is unable to remedy the situation at the time it exists, the County reserves the right to immediately take steps without any notice to have the situation remedied, and the Sub-Divider and his Surety shall be liable for all expenses incurred in making these repairs.

All special guarantees applicable to definite parts of work or equipment shall be subject to the terms of this section during the first year of such special guarantees.

The request for the release of this Sub-Divider's Contract shall constitute a dedication to Montgomery County of the aforementioned improvements, subsequent to completion and acceptance, after inspection and testing, of construction.

The parties agree that the Record Plan may be recorded upon completion and approval of the City of Centerville, Ohio's Council.

The Sub-Divider is to execute a Performance Bond or Letter of Credit equal to 100% or post a Cashier's or Certified Check equal to 20% of the cost of construction based upon an estimate acceptable to the Sanitary Engineer and to the satisfaction of the Board of County Commissioners to ensure the faithful performance of this Agreement. The minimum amount of the Cashier's or Certified Check shall not be less than \$5,000.00. If a Cashier's or Certified Check is presented to the Sanitary Engineer, it shall be deposited into a non-interest bearing account with the County Auditor.

This obligation shall remain in force until released by Resolution of the Board of County Commissioners of Montgomery County, Ohio.

[SIGNATURES ON FOLLOWING PAGE.]

WITNESSES:

Signature

(Print)

Signature

(Print)

WITNESSES:

Signature

Signature

Signature

Signature

ATTEST:

Clerk

SUB-DIVIDER:

Signature

Wayne Davis
(Print)

100 West Spring Valley Road
Centerville, Ohio 45458

Address

City Manager

Title (Print)

**THE BOARD OF COUNTY
COMMISSIONERS OF
MONTGOMERY COUNTY OHIO**

By _____
Judy Dodge

By _____
Deborah A. Lieberman

By _____
Carolyn Rice

OR

By _____
Montgomery County Administrator

APPROVED AS TO FORM BY:

Mathias H. Heck Jr., Prosecuting Attorney

By _____
Assistant Prosecuting Attorney