

# RECORD OF ORDINANCES

GOVERNMENT FORMS & SUPPLIES 844-224-3338 FORM NO. 30043

Ordinance No. 2021-05

Passed June 1<sup>st</sup>, 2021

## VILLAGE COUNCIL OF GREENWICH, OHIO ORDINANCE NO. 2021-05

AN ORDINANCE AUTHORIZING AND DIRECTING THE VILLAGE ADMINISTRATOR TO ENTER INTO A WRITTEN CONTRACT WITH THE LOWEST AND BEST BIDDER UNDERGROUND UTILITIES, INC FOR THE STORM WATER SOURCE REMOVAL PHASE E-1 PROJECT AND DECLARING AN EMERGENCY

WHEREAS, the Village undertaken efforts to improve its storm water source removal; and

WHEREAS, Village Council authorized the Village Administrator to advertise for bids for the Storm Water Source Removal Phase E-1 Project by Resolution No.: 2020-R-04 passed on the 17<sup>th</sup> day of March, 2020; and

WHEREAS, the Village Administrator by and through OHM Advisors' properly advertised for bids; and

WHEREAS, as required by Section 731.141 of the Ohio Revised Code, the bids were opened and publicly read by the village administrator or person designated by the village administrator at the time, date and place specified in the advertisement to bidders or specifications, to wit: by designee OHM Advisors' on May 12, 2021; and

WHEREAS, the Village Administrator by and through OHM Advisors' has reviewed all bids and upon review of references, equipment, materials, suppliers, subcontractors, and all documents submitted as required by the bid documents, the Engineer recommends the award of the contract to the following lowest and best bidder: Underground Utilities, Inc. (See OHM letter dated May 14, 2021); and

WHEREAS, the Village Administrator by and through OHM Advisors' submits that the lowest and best bid was RESPONSIVE and submitted in compliance with all bid, contract and legal requirements; and

WHEREAS, the Village Administrator by and through OHM Advisors' further submits that the lowest and best bidder is a RESPONSIBLE bidder capable and qualified to furnish the labor, service and equipment necessary to satisfy requirements of the contract; and

WHEREAS, in those villages that have established the position of village administrator, the village administrator shall make contracts, purchase supplies and materials, and provide labor for any work under the administrator's supervision involving not more than fifty thousand dollars. When an expenditure, other than the compensation of persons employed by the village exceeds fifty thousand dollars, the expenditure shall first be authorized and directed by ordinance of the legislative authority of the village. [Section 731.141 of the Ohio Revised Code]

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF GREENWICH, STATE OF OHIO: (RC 731.18)

SECTION 1. That Village Council hereby finds that the lowest and best bid was submitted by: Underground Utilities, Inc.

SECTION 2. That Village Council hereby authorizes and directs the Village Administrator to enter into a written contract with lowest and best bidder Underground Utilities, Inc. for the Storm Water Source Removal Phase E-1 Project.

SECTION 3. That the contract shall be executed in the name of the village and signed on its behalf by the village administrator. [Section 731.141 of the Ohio Revised Code]

SECTION 4. DISPENSE WITH THREE READINGS. That the legislative authority, upon a vote of at least three-fourths of its members, hereby dispenses with the rule requiring each ordinance or resolution shall be read on three different days. [R.C. 731.17(A)(2)]

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**SECTION 5. DECLARATION OF EMERGENCY FOR IMMEDIATE EFFECT.**  
That by two-thirds vote of all the members elected to the legislative authority, this Ordinance/Resolution is hereby declared to be an emergency measure pursuant to RC 731.30, being necessary for the immediate preservation of the public peace, health, or safety of the municipal corporation and shall go into immediate effect for the following reason(s): **To assure that the Project can commence as soon as possible.**

**SECTION 6. PUBLIC MEETING.** That it is found and determined that all formal action of this public body concerning or relating to the passage of this Resolution/Ordinance were adopted in a public meeting open to the public at all times, and that all deliberations of the public body and any of its committees that resulted in such formal action, were in public meetings open to the public, in compliance with all legal requirements including all lawful ordinances and any applicable provisions of section 121.22 of the Ohio Revised Code.

WHEREFORE, this legislation shall take effect at the earliest period allowed by law.

PASSED AND ADOPTED on this 1<sup>st</sup> day of June, 2021.

Vote on the passage was taken by yeas and nays and entered upon the journal as follows R.C. 731.17(A)(3):

YEAS: 6 NAYS: — ABSTAIN: —

### AUTHENTICATION and ATTESTATION (RC 731.20)

We hereby attest and affirm that the foregoing Ordinance/Resolution received the necessary affirmative roll call votes required for passage by R.C. 731.17.

Wesley Sallee  
MAYOR

Judy  
FISCAL OFFICER

First Reading: 06/01/2021  
Second Reading: waived (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))  
Third Reading: waived (may be dispensed by a vote of at least three-fourths of members. R.C. 731.17(A)(2))

PREPARED BY AND APPROVED AS TO FORM [See also 731.21(B)]:

Steve Palmer  
VILLAGE SOLICITOR, Steve Palmer

### CERTIFICATE OF PUBLICATION RC 731.24

I hereby certify that a succinct summary of the above legislation was/will be published *once a week for two consecutive weeks* as required by RC 731.21 and 731.22(A) in the following newspaper(s) of general circulation: **Shopper's Helper**  
**North, 211 Myrtle Ave., P.O. Box 368, Willard, OH 44890, 419.935.0184.**

Judy  
CLERK OF COUNCIL