

SPONSOR: Brown Smith

## ORDINANCE NO. 7-10

AN ORDINANCE FINDING THE LOWEST RESPONSIBLE AND RESPONSIVE BID, AWARDING THE CONTRACT FOR THE RAILROAD MAINLINE REHABILITATION PROJECT TO BALFOUR BEATTY RAIL, INC., 12276 SAN JOSE BLVD., SUITE 410, JACKSONVILLE, FLORIDA 32223, AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF JACKSON, STATE OF OHIO, as follows:

**Section One.** Council finds that Balfour Beatty Rail, Inc., 12276 San Jose Blvd., Suite 410, Jacksonville, Florida 32223, is the lowest responsive and responsible bidder for the contract for the Railroad Mainline Rehabilitation Project. This contract has been lawfully advertised and bid, and the lowest responsive and responsible bid is in the amount of One Million Four Hundred Nine Thousand Five Hundred Twelve and 31/100 Dollars (\$1,409,512.31). This contract shall be paid from line item 260-7570-53064 – Railroad Rehab Fund: Project Expense.

**Section Two.** The Mayor or the Service Director is hereby authorized to execute this Contract and any financing documents according to the terms of the lowest responsive and responsible bid.

**Section Three.** This Ordinance is hereby declared to be an emergency Ordinance necessary for the immediate preservation of the public peace, health, or safety of the City of Jackson, in that it is necessary to accept this bid as soon as possible to receive the bid price, and in order to commence with this project as soon as possible to meet pending timelines. Therefore, this Ordinance shall go into effect upon passage and approval by the Mayor, as provided in Ohio Revised Code Section 731.30.

**Section Four.** In the event this Ordinance receives a majority vote for passage but fails to receive the required number of votes to pass as an emergency, then this Ordinance shall be deemed to have passed but with no emergency clause, and shall take effect at the earliest time permitted by law.

**Section Five.** This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council that resulted in those formal actions were in meetings open to the public, all in compliance with the law.

Date: 2-8-10

[Signature]  
PRESIDENT OF COUNCIL

[Signature]  
CLERK OF COUNCIL

Approved:

Date: 2-8-10

[Signature]  
MAYOR