

Sponsor: Elliott/Kitchen

## ORDINANCE NO. 28-15

AN ORDINANCE OF THE LEGISLATIVE AUTHORITY OF THE CITY OF JACKSON, OHIO TO ACCEPT THE BID OF SOUTHERN OHIO TRENCHING FOR THE McCARTY LANE SEWER PROJECT FOR AN AMOUNT NOT TO EXCEED \$1,227,299.00 AS IT WAS THE LOWEST AND BEST RESPONSIVE BID SUBMITTED AND DECLARING AN EMERGENCY.

WHEREAS, in response to a request for bids for the McCarty Lane sewer project for the City of Jackson, bids have been reviewed and a determination has been made as to the lowest and best responsive bid; and

WHEREAS, it has been determined that the lowest and best responsive bid was from Southern Ohio Trenching, for a cost not to exceed \$1,227,299.00; and

WHEREAS, the immediate passage of this ordinance constitutes an emergency for the reason that the completion of the McCarty Lane sewer project at the earliest date and at this price will be beneficial to the City and is necessary for the preservation of the public's health, safety and welfare.

NOW, THEREFORE, BE IT ORDAINED AS FOLLOWS:

**Section 1.** The legislative authority of the City of Jackson hereby authorizes the Mayor or Director of Service and Public Safety of the City of Jackson, Ohio to accept the bid submitted by Southern Ohio Trenching for an amount not to exceed \$1,227,299.00 and to enter a contract at such time there is sufficient funds.

**Section 2.** This matter is hereby declared to be an emergency necessary for the immediate preservation of the public peace, health or safety of the City of Jackson, Ohio and is necessary as an emergency to permit the project to be completed at the earliest possible date and at the cost bid.

**Section 3.** 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.

It is hereby found and determined that all formal acts of this council concerning and relating to adoption of this Ordinance were adopted in an open meeting of this council and that the deliberations of the council and any of its committees resulted in such formal action, wherein meeting open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

PASSED AND ADOPTED by the Legislative Authority of the Political Subdivision on this 11<sup>th</sup>  
day of May, 2015.

E. A. Brown  
President of Council - Pro-Tem.

ATTEST:

Sherry Barr  
Clerk of the Legislative Authority

Approved this 11th day of May, 2015.

Randy R. Heest  
Mayor