

AN ORDINANCE AWARDING A CONTRACT FOR THE MILLER ROAD PARK SAND DREDGING PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with the direction of Council, the Public Works Department has prepared plans and specifications for the Miller Road Park Sand Dredging Project, which have been and are now on file in the Public Works Department; and

WHEREAS, further in accordance with the direction of Council, the Public Works Department has caused notice to be given as provided by law, inviting bids for said improvement, bids having been received, opened, and tabulated as provided by law; and

WHEREAS, Council coming now to consider said bids has determined that the bid submitted by Huffman Equipment of Eastlake, Ohio, is the lowest and best responsive bid, after advertising in accordance with law, and is acceptable to this Council.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF  
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the bid by Huffman Equipment of Eastlake, Ohio, (hereafter referred to as "Contractor") for the Miller Road Park Sand Dredging Project for the City of Avon Lake, Ohio, in accordance with the plans and specifications prepared by the Public Works Department be and the same is hereby awarded to said Contractor in accordance with said plans and specifications and bids received. The total amount of said contract is in the sum of \$85,500.00.

Section No. 2: That the Contractor shall furnish his good and sufficient performance bond in the amount of \$85,500.00 to the satisfaction of the Mayor and approved as to form by the Director of Law, conditioned to insure faithful performance of the contract thereby awarded, and completion of the work free and clear of all claims and encumbrances.

Section No. 3: That the Contractor shall deposit and keep in force and effect on file with said Director of Finance memoranda of policies of insurance in the amounts and under the conditions set forth in the specifications of the contract documents.

Section No. 4: That upon receipt by the Director of Finance of the certificate of the Public Works Director that the project has been completed to his full satisfaction and in accordance with the plans and specifications, then the Director of Finance shall

be authorized and directed to issue to Contractor the warrants of the City in payment of the amount due the Contractor as determined by the Public Works Director according to the terms of the contract.

Section No. 5: That the Mayor shall be, and he is hereby authorized and directed to sign and execute the contract hereby awarded.

Section No. 6: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 7: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of dredging the sand from the boat launch area at Miller Road Park before the fish spawning season and to be in time for the upcoming boating season to ensure safe boating, thus for the public health, safety, and welfare. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

PASSED: 2/27/2023

/s/ Martin E. O'Donnell

President of Council

POSTED: 3/03/2023

APPROVED: 2/28/2023

ATTEST: /s/ Valerie E. Rosmarin  
Clerk of Council

/s/ Gregory J. Zilka  
Mayor