

VILLAGE OF SOUTH LEBANON, OHIO
RESOLUTION NO. 2014-5

A RESOLUTION APPROVING AND AUTHORIZING THE ISSUANCE OF A NOTICE OF AWARD TO JD CONTRACTING SERVICES, LLC FOR THE CONSTRUCTION OF THE PIKE STREET (E-W) WATERLINE IMPROVEMENT PROJECT, AND AUTHORIZING THE MAYOR AND FISCAL OFFICER TO EXECUTE A CONTRACT FOR THE SAID IMPROVEMENT PROJECT AND THEREAFTER ISSUANCE OF A NOTICE TO PROCEED, AND DECLARING AN EMERGENCY

WHEREAS, on June 3, 2010, the Village Council passed Res. No. 2010-07 authorizing the Village to apply for an Ohio Public Works Commission (OPWC) infrastructure Grant to fund the construction of the Pike Street (East to West) Waterline Replacement Project (the Project) for project year 2013, and the Village Administrator submitted a pre-application on Jun. 10, 2010, and the final application on Jul. 27, 2012; and,

WHEREAS, on Nov. 29, 2012 the Village was notified by OPWC that the Village's Project was recommended for funding, and on Jul 15, 2013, the Village Council passed Res. No. 2013-22 approving the OPWC Project Grant for an amount not-to-exceed 51% of the total estimated Project cost (including engineering fees and construction costs) with the Village agreeing to pay the local match of 49% of the total estimated Project cost; and,

WHEREAS, the Village published invitations to bid the Project and at the bid opening on March 18, 2014, it was determined that the lowest and best base bid of \$395,618.00 was approximately 7% higher than the Village Engineer's original estimate of \$370,500, accordingly, all bids were rejected and the Project, with an alternative, was rebid on Apr. 10, 2014 and the apparent lowest and best bid was for the alternate bid by JD Contracting Services, LLC of \$335,779.50; and,

WHEREAS, immediate action is required to complete the Project without delay due to the OPWC deadline for completing the Project to obtain the Grant Funding being in November, 2014, and such action is necessary in order to preserve the public peace, health, safety or welfare of the Village.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of South Lebanon, at least two-thirds of all members elected thereto concurring:

Section 1. Approve the issuance of a Notice of Award to JD Contracting Services, LLC (Contractor) and further authorize the Mayor and Fiscal Officer to execute the Project Contract after approval as to form by the Village Solicitor and execution by the Contractor.

Section 2. Upon full execution of the Project Contract, the Mayor and Fiscal Officer are further authorized to execute and send a Notice to Proceed to the Contractor.

Section 3. That the Council is acting in its administrative capacity in passing this Resolution.

Section 4. That the recitals contained within the Whereas Clauses set forth above are incorporated by reference herein.

Section 5. That this Resolution is hereby declared to be an emergency measure in accordance with Ohio Rev. Code § 731.30 for the immediate preservation of the public peace, health, safety and general welfare; and, this Resolution shall be in full force and effective immediately upon its passage.

Section 6. That it is found and determined that all formal actions of the Council concerning and relating to passing this Resolution were adopted in an open meeting of Council in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Adopted this 17th day of April, 2014.

Attest: Sharon Louallen

Sharon Louallen, Fiscal Officer/Clerk

Lionel H. Lawhorn

Lionel Harold Lawhorn, Mayor

CERTIFICATE OF POSTING

I, Sharon Louallen, Fiscal Officer of the Village of South Lebanon, Ohio do hereby certify and post a true and accurate copy of this ordinance, resolution, summary of ordinance or resolution, or statement, order, proclamation, notice or report at five public places within the Village as authorized by Section 731.25 of the Ohio Revised Code and Ordinance 98-08 of Village of South Lebanon, Ohio.

4-18-14
Date

Sharon Louallen
Sharon Louallen
Fiscal Officer
Village of South Lebanon,
Ohio

Rules Suspended: 4/17/201__ (if applicable)

Effective Date - / /201__

Vote - 6 Yeas
____ Nays

First Reading - / /201__

Effective Date - / /201__

Second Reading - / /201__

Third Reading - / /201__

Vote - ____ Yeas
____ Nays

Prepared by and approved as to form:

BRUCE A. MCGARY
VILLAGE SOLICITOR
SOUTH LEBANON, OHIO

By: 

Date: 04/17/2014