

RECORD OF ORDINANCES

Resolution No. 2023-58

Passed AUGUST 16, 2023

SPONSOR: PARKS COMMITTEE

A RESOLUTION AWARDING THE BID FOR PHASE I OF THE LIONS PARK TRAIL IMPROVEMENTS TO MC. B PAVING, LLC, AUTHORIZING THE MAYOR AND CLERK-TREASURER TO ENTER INTO A CONSTRUCTION CONTRACT WITH MC. B PAVING, LLC TO PROVIDE LABOR AND MATERIALS FOR SAID PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, Section 14.03 of the Village's Charter provides that all purchases exceeding one-half (1/2) of the statutory threshold of \$50,000.00 shall be undertaken by advertising for and accepting sealed bids, except when five (5) members of this Council determine the purchase should proceed without such sealed bids due to an emergency; and

WHEREAS, in accordance with Section 14.03 of the Village's Charter, this Council previously adopted Resolution No. 2023-46 to authorize and direct the Clerk-Treasurer to advertise for bids for Phase I of the Lions Park Trail Improvements; and

WHEREAS, thereafter, the Clerk-Treasurer advertised for bids for Phase I of the Lions Park Trail Improvements and the Village Engineer received bids for the same; and

WHEREAS, upon review of the bids, the Village Engineer recommended that this Council award the bid for Phase I of the Lions Park Trail Improvements to Mc. B Paving, LLC as the lowest responsive and responsible bidder in an amount not to exceed \$125,817.50; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that it is necessary and in the best interest of the Village of Mogadore to award the bid for Phase I of the Lions Park Trail Improvements to Mc. B Paving, LLC and to authorize the Mayor and Clerk-Treasurer to enter into a construction contract for Mc. B Paving, LLC to provide labor and materials for said project in an amount not to exceed \$125,817.50.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Mogadore, Counties of Summit and Portage, State of Ohio, that:

SECTION 1: This Council hereby awards the bid for Phase I of the Lions Park Trail Improvements to Mc. B Paving, LLC as the lowest responsive and responsible bidder in an amount not to exceed \$125,817.50.

SECTION 2: The Mayor and Clerk-Treasurer are hereby authorized and directed to enter into a construction contract with Mc. B Paving, LLC to provide labor and materials for Phase I of the Lions Park Trail Improvements.

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SECTION 3: The Clerk-Treasurer is hereby authorized and directed to refund all bonds or certified checks to the successful and unsuccessful bidders upon the execution of the aforementioned construction contract.

SECTION 4: This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in this formal action were in meetings open to the public, in compliance with all legal requirements.

SECTION 5: This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the residents of the Village of Mogadore and for the purpose of providing immediately providing for Phase I of the Lions Park Trail Improvements to proceed in a timely fashion in the amount provided for in Mc. B Paving, LLC's bid, and, provided this Resolution receives the affirmative vote of at least five (5) members elected or appointed to this Council, it shall take effect and be in force upon its passage by Council and approval by the Mayor, otherwise it shall take effect and be in force at the earliest period allowed by law.

Michael Raddish 8-16-23
President of Council Date

Mark G. Phil 8-16-23
Mayor Date

Attest:

[Signature]
Clerk-Treasurer