

ORDINANCE NO. 20-143

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH ED BURDUE & CO. LLC, OF SANDUSKY, OHIO, FOR THE 2020 SHARED DRIVEWAY CONSTRUCTION PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the City was approached by several individuals interested in constructing residential housing in and around the downtown area and more specifically, interested in the City owned property at 430 E. Market Street, formerly part of the Sandusky Cabinets property, which can easily accommodate several residential structures, if subdivided, and subsequently the City began to explore the idea of constructing a rear alleyway off Franklin Street to accommodate new residential structures on E. Market Street between Franklin Street and Warren Street; and

WHEREAS, it was decided that in order to create similarly sized, new residential lots through the re-platting process and to install a new shared private alleyway, memorialized through easements, it would be exponentially easier with common ownership of all the real estate; and

WHEREAS, this City Commission approved the purchase of the property located at 208 Franklin Street and 410 E. Market Street, Parcel Nos. 56-003480.000 and 56-00349.00 by Ordinance No. 20-106, passed on July 27, 2020, and this property, along with the City's adjoining properties located at 430 E. Market Street and 216 Franklin Street, are in the process of being re-platted to create five (5) lots; and

WHEREAS, the 2020 Shared Driveway Construction Project involves excavation of existing earthen material, placement and leveling of stone aggregate sub-base, and multiple layers of asphalt pavement designed as a "modified" AASHTO (American Association of State Highway and Transportation Officials) asphalt pavement with a life expectancy of 20 years, creating a surface that will become the shared driveway for all adjacent parcels to use and the project also includes replacing the existing driveway approach as needed with concrete; and

WHEREAS, this City Commission declared the necessity to proceed with the proposed 2020 Shared Driveway Construction Project by Resolution No. 032-20R, passed on August 24, 2020; and

WHEREAS, upon public competitive bidding as required by law one (1) appropriate bid was received and the bid from Ed Burdue & Co. LLC, of Sandusky, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total cost of this project based on bid and including engineering, inspection, advertising, construction and miscellaneous costs, is \$33,295.69 and will initially be paid with Real Estate Development Funds and then reimbursed back into the fund upon sale of the five (5) parcels; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order for the contractor to complete the project by the construction completion deadline of December 1, 2020; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into a contract with Ed Burdue & Co. LLC, of Sandusky, Ohio, for the 2020 Shared Driveway Construction Project in an amount **not to exceed** Thirty Three Thousand Seventy Seven and 09/100 Dollars (\$33,077.09) consistent with the bid submitted by Ed Burdue & Co. LLC, of Sandusky, Ohio, currently on file in the office of the Director of Public Works.

Section 2. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 3. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 4. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

MCKENZIE E. SPRIGGS
CLERK OF THE CITY COMMISSION