

RESOLUTION R-2017-11

**A RESOLUTION AUTHORIZING A CONTRACT WITH MICHAEL J. MIKULSKI,
FOR THE LIGHT REMODEL OF THE VILLAGE OFFICE PROJECT AND
DECLARING AN EMERGENCY.**

WHEREAS, the Council of the Village of Windham has previously authorized the advertisement for bids for the Village of Windham Light Remodel of the Village Office Project for various improvements to the Village Municipal Center on Main Street; and

WHEREAS, advertisements were made in the Record Courier, a newspaper of general circulation within the Village of Windham, on April 2, 2017 and April 9, 2017 that sealed bids for the Village of Windham Light Remodel of the Village Office Project would be received at the Village of Windham, 9621 East Center Street, Windham Ohio 44288 until 2:00 p.m. on May 5, 2017; and

WHEREAS, three companies responded to the advertisements and obtained bid information from the Village Administration; and

WHEREAS, sealed bids were received by the Village of Windham from a single contractor; and

WHEREAS, the sealed bid from Michael J. Mikulski in the amount of Sixty Nine Thousand One Hundred Twenty Five and 00/100 Dollars (\$69,125.00) is the lowest bid that has been received; and

WHEREAS, the Village Administrator of the Village of Windham has checked the references of Michael J. Mikulski, and has found that the references demonstrate that Michael J. Mikulski is a responsible and responsive individual, capable of performing under the contract if the contract is awarded to him; and

WHEREAS, the Village Administrator has recommended that Michael J. Mikulski has submitted the lowest responsive and responsible bid and that the Village of Windham Light Remodel of the Village Office Project contract be awarded to Michael J. Mikulski.

NOW THEREFORE BE IT RESOLVED by the Council of the Village of Windham, State of Ohio, two thirds or more of the members thereto concurring that:

Section 1: That the recommendation of the Village Administrator is hereby accepted.

Section 2: That the bid submitted by Michael J. Mikulski is declared to be the lowest responsive and responsible bid.

Section 3: That a contract, in substantial conformity with that attached hereto and marked for identification as Exhibit "A" between Michael J. Mikulski and the Village of

Windham, is hereby authorized. The Mayor and the Fiscal Officer are directed to the contract on behalf of the Village.

Section 4: That the Village Administrator is authorized to issue a Notice of Award and a Notice to Proceed to Michael J. Mikulski.

Section 5: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were accepted in an open meeting of this Council, and that deliberations of this Council and any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with Section 121.22 of the Ohio Revised Code.

Section 6: This Resolution is hereby declared to be an emergency measure, becoming effective immediately on passage by Council and approval by the Mayor, in order to advance the health, safety and general welfare of the Village of Windham, and for the further reason that it is necessary to renovate the location of the municipal building located on Main Street as soon as possible because the present Municipal Center is in poor condition and should be vacated.

Passed in Council on this the 24th day of May, 2017.

Vote of Council: Ayes: 6
 Nays: 0

Attest:

Approved:

Village Fiscal Officer, Cheree Taylor

Mayor, Deborah Blewitt

Approved as to Legal Form:

Solicitor, Thomas Reitz

CONTRACT

THIS AGREEMENT made this ^{12th} day of ^{April} 2017, by and between Michael J. Mikulski (hereinafter called the "Contractor") and the Village of Windham (hereinafter called the "Owner").

WITNESSETH, that the Contractor and the Owner for the considerations stated herein mutually agree as follows:

ARTICLE 1

STATEMENT OF WORK

The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services, including utility and transportation services, and perform and complete all work required for the Alterations for: "Light Remodel of the Village Office Project Village of Windham Office Project" and any required supplemental work, all in strict accordance with the Contract Documents including all Addenda thereto, numbered X - X in these Contract documents, all prepared as directed by the Village of Windham.

ARTICLE 2

THE CONTRACT PRICE

The Owner will pay the Contractor for the total quantities of work performed at the prices stipulated in the Bid for the respective items of work completed for the sum not to exceed 69,125.00 (sixty nine thousand one hundred twenty five) subject to additions and deductions as provided elsewhere in the contract documents.

ARTICLE 3

CONTRACT

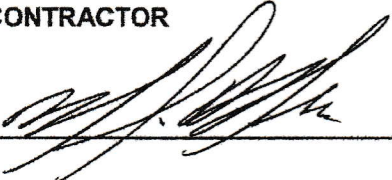
The executed contract document shall consist of the following:

- a) This Agreement;
- b) Addenda;
- c) All documents of the Bid Packet Entitled: "Light Remodel of the Village Office Project"
 - Advertisement for Bids.
 - Work Specifications (including all plans, drawings, etc. referenced or included).
 - Fully completed and executed Bid Form, including required attachments.
 - Acceptance (Resolution of Council as Notice of Award).
 - Notice to Proceed.
 - Performance Guaranty.
 - Proof of Insurance.
 - Proof of Workers Compensation Coverage.

This Agreement, together with other documents enumerated in ARTICLE 3, which said other documents are as fully a part of the Contract as if hereto attached or herein repeated, forms the Contract between the parties hereto. In the event that any provision in any component part of this Contract conflicts with any provision of any other component part, the provision of the component part first enumerated in this ARTICLE 3 shall govern except as otherwise specifically stated.

IN WITNESS WHEREOF, the parties hereto have caused this AGREEMENT to be executed in original copies on the day and year first above written.

CONTRACTOR



VILLAGE OF WINDHAM

Mayor, Deborah Blewitt

Fiscal Officer, Cheree Taylor
