

**VILLAGE OF WINDHAM
OHIO**

RESOLUTION NO. R-2011-73

**A RESOLUTION AUTHORIZING A CONTRACT WITH JACK GIBSON
CONSTRUCTION COMPANY FOR THE WATER TREATMENT PLANT
IMPROVEMENT PROJECT WITHIN THE VILLAGE OF WINDHAM, PORTAGE
COUNTY, OHIO AND DECLARING AN EMERGENCY**

WHEREAS, the Council of the Village of Windham has previously authorized the advertising for bids for the Water Treatment Plant Improvements of the Village of Windham by Resolution 2011-63, passed on October 20, 2011; and

WHEREAS, advertisements were made in the Record Courier, a news paper of general circulation within the Village of Windham, on October 25, 2011 and November 1, 2011, that sealed bids for the Water Treatment Plant Improvement Project would be received at the Village Administrator's office within the Village of Windham until 11:00 a.m. on November 22nd, 2011; and

WHEREAS, sealed bids were received by the Village of Windham from three different contractors; and

WHEREAS, the sealed bid from Jack Gibson Construction Company in the amount of Three Hundred Ten Thousand Dollars & 00/100 (\$310,000.00) is the lowest bid that has been received; and

WHEREAS, the Village Administrator of the Village of Windham has checked the references of Jack Gibson Construction Company, and has found that the references demonstrate that Jack Gibson Construction Company to be a responsible and responsive company, capable of performing under the contract if the contract is awarded to them; and

WHEREAS, the Village Administrator has recommended that Jack Gibson Construction Company has submitted the lowest responsive and responsible bid and that the Water Treatment Plant Improvement Project contract be awarded to Jack Gibson Construction Company.

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 Jack Gibson Construction Company 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 Jack Gibson Construction Company and the Village of Windham, is hereby authorized. The Mayor and the Fiscal Officer are directed to execute said contract.

Section 4: 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 5: 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 begin the Water Treatment Plant Renovation Project in the Village of Windham at the earliest possible time.

Passed in Council as an Emergency on this 20th day of December, 2011.

Vote of Council: Ayes: Mr. Garrett, Mrs. Meszaros, Mrs. Barrett, Mrs. Miranda, Mr. Snyder
Nays: None.

Attest: Approved:

Village Fiscal Officer, Lloyd Billman

Mayor, Robert Donham II

Approved as to Legal Form:

Solicitor, Thomas Reitz