

VILLAGE OF WINDHAM  
OHIO

RESOLUTION NO. R-2011-57

**A RESOLUTION ACKNOWLEDGING THAT FOUR BIDS HAVE BEEN RECEIVED FOR THE 2011 WATER METER CHANGE OUT PROJECT, AND DETERMINING THAT NONE OF THE BIDS MEET THE SPECIFICATIONS ESTABLISHED BY THE VILLAGE OF WINDHAM AND DECLARING AN EMERGENCY**

**WHEREAS**, the Council of the Village of Windham has previously determined that all of the water meters within the Village are in need of replacement; and

**WHEREAS**, the Council of the Village of Windham caused legal notice to be published in the Record Courier on July 12 and again on July 19, 2011, inviting bids for the Water Meter Change Out Project; and

**WHEREAS**, the opening of the bids took place on July 26, 2011; and

**WHEREAS**, none of the bids received meet the specifications established by the Village of Windham for the Water Meter Change Out Project.

**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 specifications for 5/8" to 2" cold water meters, multi-jet under paragraph #1 General of the 2011 as established for the Windham Water Meter Change Out Project provides in part as follows: "Bids will be accepted only from those companies who are actively engaged in the manufacture of a complete line of water meters of various types, (i.e. multi-jet, turbine and compound)."

**Section 2:** None of the bids received by Windham are from manufacturers of water meters, in fact all four of the bids received are proposals are to install water meters constructed by companies other than the bidders. For this reason all of the bids are determined to be nonresponsive.

**Section 3:** Because all of the bids have been determined to be nonresponsive, all of the bids are hereby rejected.

**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 inform the bidders of the 2011 Windham Water Meter Change Out Project of the rejection as soon as possible, and to allow the Village to move forward with re-bidding the project.

Passed as an emergency in Council on the 23<sup>rd</sup> day of August, 2011

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

Attest:  
  
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Village Fiscal Officer, Lloyd Billman

Approved:  
  
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Mayor, Robert Donham II

Approved as to Legal Form:  
  
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Solicitor, Thomas Reitz