

**ORDINANCE O-2020-12**

**AN ORDINANCE AUTHORIZING A CONTRACT WITH WOODFORD EXCAVATING, LLC FOR THE VILLAGE OF WINDHAM, WATER SYSTEM IMPROVEMENTS – PHASE II PROJECT, IN PORTAGE COUNTY, OHIO AND DECLARING AN EMERGENCY**

**WHEREAS**, by the passage of Ordinance 2020-7 the Council of the Village of Windham has previously authorized the advertisement of a contract with the Village to perform the Phase II Water System Improvements Project; and

**WHEREAS**, advertisements were made in the Portage County Record Courier, a newspaper of general circulation within the Village of Windham, on n March 2, 2020, March 9, 2020 and March 16, 2020, that sealed bids for the Village of Windham Phase II Water System Improvements Project would be received at the Village Administrator’s office within the Village of Windham until April 16, 2020; and

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

**WHEREAS**, the sealed bid from Woodford Excavating, LLC in the amount of Two Hundred Seventy Five Thousand Dollars & 00/100 (\$275,000.00) is the lowest bid that has been received; and

**WHEREAS**, the Village Project Manager has checked the references of Woodford Excavating, LLC., and has found that the references demonstrate that Woodford Excavating, LLC. 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 and the Project Manager have recommended that Woodford Excavating, LLC. has submitted the lowest responsive and responsible bid and that the Village of Windham Phase II Water System Improvements Project contract be awarded to Woodford Excavating, LLC.

**NOW THEREFORE BE IT ORDAINED** 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 and the Project Manager are hereby accepted.

**Section 2:** That the bid submitted by Woodford Excavating, LLC. is declared to be the lowest responsive and responsible bid.

**Section 3:** That a contract, in substantial conformity with the specifications as set forth in the advertised bid package and as bid by Woodford Excavating, LLC, between Woodford Excavating, LLC. and the Village of Windham, is hereby authorized for the Village of Windham Phase II Water System Improvements Project. 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 Ordinance 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 Village of Windham Phase II Water System Improvements Project in the Village of Windham if at all possible before the beginning of the 2020-2021 school year.

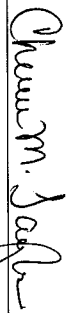
Passed in Council as an Emergency on this 26<sup>th</sup> day of May, 2020.

Vote of Council:

Ayes: 6

Nays: 0

Attest:



Village Fiscal Officer, Cheree Taylor

Approved:



Mayor, Scott Garrett

Approved as to Legal Form:



Solicitor, Thomas Reitz