

**ORDINANCE O-2017-6**

**AN ORDINANCE AUTHORIZING A CONTRACT WITH STANLEY MILLER 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 expenditure for the Water Treatment Plant Improvements of the Village of Windham by Resolution R- 2016-23, passed on June 28, 2016; and

**WHEREAS**, advertisements were made in the Record Courier, a news paper of general circulation within the Village of Windham, on January 22, 2017, January 29, 2017 and February 5, 2017, 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 February 16, 2017; and

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

**WHEREAS**, the sealed bid from Stanley Miller Construction Company in the amount of Five Hundred Seventy Seven Thousand Four Hundred Ninety Nine & 00/100 Dollars (\$577,499.00) is the lowest bid that has been received; and

**WHEREAS**, the Village Project Manager has checked the references of Stanley Miller Construction Company, and has found that the references demonstrate that Stanley Miller 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 and the Project Manager have recommended that Stanley Miller Construction Company has submitted the lowest responsive and responsible bid and that the Water Treatment Plant Improvement Project contract should be awarded to Stanley Miller Construction Company.

**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 Stanley Miller 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 Stanley Miller 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 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 Water Treatment Plant Improvements Project in the Village of Windham at the earliest possible time.

Passed in Council as an Emergency on this 28<sup>th</sup> day of February, 2017.

Vote of Council:      Ayes: 5  
                                 Nays: 0

Attest:

Approved:

\_\_\_\_\_  
Village Fiscal Officer, Cheree Taylor

\_\_\_\_\_  
Mayor, Deborah Blewitt

Approved as to Legal Form:

\_\_\_\_\_  
Solicitor, Thomas Reitz