

ORDINANCE NO. 39-2013

TITLE: ENTER INTO CONTRACT – BOAK & SONS

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO CONTRACT WITH BOAK & SONS, THE LOWEST AND/OR BEST BIDDER, TO REPLACE THE ROOFS OF 565 W. TUSCARAWAS AVENUE (THE MAGICAL THEATRE) AND 571 W. TUSCARAWAS AVENUE (THE WEIGAND BUILDING) FOR THE TOTAL AMOUNT OF \$131,560, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Barberton, State of Ohio:

SECTION 1. That the Mayor, or his designee, is hereby authorized to enter into contract with Boak & Sons, the “lowest and/or best” bidder as determined and awarded by the Board of Control, to replace the roof of 565 W. Tuscarawas Avenue (the Magical Theatre) in the amount of \$65,058.00 and the roof of 571 W. Tuscarawas Avenue (the Weigand Building) in the amount of \$66,502.00, for the total amount of One Hundred Thirty One Thousand Five Hundred Sixty Dollars and No Cents (\$131,560.00). Magical Theatre Company will reimburse the City \$35,000 of the \$65,058 cost per the negotiate Memorandum of Agreement Lease.

SECTION 2. That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

SECTION 3. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, in order for the projects to commence as soon as possible, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2013

Clerk of Council

President of Council

Approved _____ 2013

Mayor