

ORDINANCE NO. 170-2012

**TITLE: ENTER INTO CONTRACT – KENMORE CONSTRUCTION
31ST STREET NW / CLEVELAND MASSILLON ROAD
WATERLINE REPLACEMENT PROJECT**

AN ORDINANCE AUTHORIZING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO CONTRACT WITH KENMORE CONSTRUCTION COMPANY, IN THE AMOUNT OF \$1,821,930, FOR THE 31ST STREET NW / CLEVELAND MASSILLON ROAD WATERLINE REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, this is a joint project, with Norton and Barberton sharing the costs; and

WHEREAS, the monies will be drawn from Issue I funds at zero interest from the Ohio Public Works Commission.

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 Kenmore Construction Company, the “lowest and/or best” bidder as determined by our engineer, Environmental Design Group, and awarded by the Board of Control, in the amount of One Million Eight Hundred Twenty One Thousand Nine Hundred Thirty Dollars and No Cents (\$1,821,930.00) for the 31st Street NW / Cleveland Massillon Road Waterline Replacement Project.

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 project to commence in a timely manner, 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 _____ 2012

Clerk of Council

President of Council

Approved _____ 2012

Mayor