

ORDINANCE NO. 2022-52 FIRST READING MAY 23 2022  
INTRODUCED BY: MARK PORTER SECOND READING JUNE 13 2022 (6:55 PM)  
THIRD READING JUNE 13 2022 (7:00 PM)

**ORDINANCE AWARDING THE BID FOR THE MANOR BROOK HEADWATER STREAM RESTORATION PROJECT TO MR. EXCAVATOR, INC. SUBJECT TO AN ACCEPTABLE CONTRACT AMONG MR. EXCAVATOR, INC., THE OHIO ENVIRONMENTAL PROTECTION AGENCY, AND THE VILLAGE OF SOUTH RUSSELL AND DECLARING AN EMERGENCY.**

**WHEREAS** bids for the Manor Brook Headwater Stream Restoration project in the Village of South Russell ("Project") were opened on May 13, 2022, in accordance with the Notice of Bidders;

**WHEREAS**, it is determined by Council for the Village of South Russell that Mr. Excavator, Inc., which submitted a bid for the Project, is the lowest and best bidder; and

**WHEREAS**, the Council for the Village of South Russell has authorized the Project and the expenditure of funds for the Project from, in part, the Ohio Environmental Protection Agency Clean Water Act Section 319(h) ("319 Grant") funds, and in part through the appropriation of funds in the Village of South Russell's general fund.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of South Russell, Geauga County, Ohio that:

**SECTION 1.** The bid for the Project is hereby awarded to Mr. Excavator, Inc. of Kirtland Ohio in the total bid amount of Two Hundred Eighty-One Thousand Four Hundred Eighty-Four Dollars and Eighty-Five Cents (\$281,484.85), all in accordance with the Notice to Bidders, Instructions to Bidders, General Conditions, Specifications, Plans, and other documents contained in the bid packet.

**SECTION 2.** The bid award is subject to an acceptable contract among Mr. Excavator, Inc., the Ohio Environmental Protection Agency, and the Village of South Russell.

**SECTION 3.** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees on or after December 2, 1975, that resulted in formal actions, were in meetings open to the public in compliance with all legal requirements, including Section 121.22, Ohio Revised Code.

**SECTION 4.** That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason that the bid award be effective immediately; wherefore provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to

Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor.

William S. Koop

Mayor - President of Council

ATTEST:

Danielle Romanowski

Fiscal Officer

I certify that Ordinance No. 2022-52 was duly enacted on the 13<sup>TH</sup> day of JUNE, 2022, by the Council of the Village of South Russell, and posted in accordance with the Codified Ordinances of the Village.

Danielle Romanowski

Fiscal Officer