

A RESOLUTION AMENDING RESOLUTION NO. 22-169 TO INCREASE THE PROJECT COST TO BID AND AWARD THE OWEN BROWN STREET SIDEWALK PROJECT TO THE AMOUNT OF \$713,647.69; AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Resolution No. 22-169, passed by this Council on December 28, 2022, the City Manager was authorized to solicit bids and enter into a contract for the Owen Brown Street Sidewalk Project (the “Project”); and

WHEREAS, on August 24, 2023, the two bids received exceeded the Engineer’s estimate for this Project of \$375,000 by more than 60%, due to increased material and labor costs and proximity to railroad; and

WHEREAS, the Engineer’s revised estimate for the Project is \$648,770.63, with a 10% contingency of \$64,877.06 for a total cost with contingencies of \$713,647.69, increasing the budgeted amount and requiring a supplemental appropriation of \$338,648.00; and

WHEREAS, if approved the Project will be rebid in fall of 2023, with construction anticipated to commence over the winter and running through summer of 2024.

NOW, THEREFORE, BE IT RESOLVED by the Council of Hudson, Summit County, State of Ohio, that:

Section 1. The City Manager is authorized to advertise both for a period of at least once a week for two (2) consecutive weeks in a newspaper of general circulation within the municipality and for a period of three (3) consecutive weeks on the Municipal website, requesting the submission of construction bids for the purpose of seeking the lowest and best bidder for the Owen Brown Street Sidewalk Project in accordance with the specifications as supplied by the City Engineer’s office.

Section 2. The City Manager is authorized to enter into a contract or contracts on behalf of the City in the amount appropriated by Council, subject to the affixing to the contract by the Finance Director of a certificate of availability of funds therefor, with the lowest and best bidder after receipt of such bids not to exceed seven hundred thirteen thousand six hundred forty-seven dollars and sixty-nine cents (\$713,647.69), the Engineer’s estimate, which includes the additional 10% contingency.

Section 3. The City Manager is further authorized to return all certified checks and bid bonds submitted by the unsuccessful bidders and to reject all bids for said contract if deemed necessary to do so.

Section 4. That the above recitals are fully incorporated as findings herein.

Section 5. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 6. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the citizens of the City, and for the further reason that time is of the essence for this project to be bid in fall of 2023 and construction to begin during the winter; wherefore, this Resolution shall be in full force and effect immediately upon its passage provided it receives the affirmative vote of five (5) members of Council, except that six (6) affirmative votes shall be required if all members are present at the meeting at which it is passed; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____

Jeffrey L. Anzevino, Mayor

ATTEST:

Elizabeth Slagle, Acting Clerk of Council

I certify that the foregoing Resolution No. 23-122 was duly passed by the Council of said Municipality on _____, 2023.

Elizabeth Slagle, Acting Clerk of Council