

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH VIZMEG LANDSCAPE, INC. FOR THE LABOR, EQUIPMENT AND MATERIALS FOR THE CONSTRUCTION OF A PARK AT THE OLD SCHOOL GREEN AT 34 NORTH OVIATT STREET; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Hudson will construct a new park located at 34 N. Oviatt Street, including playground equipment, sidewalks, and associated infrastructure (“Old School Green Project”); and

WHEREAS, pursuant to Resolution No. 18-187, passed by this Council on December 18, 2018, the City administration entered into a Purchase and Sale Agreement with Hudson City School District and Donation Agreement, and authorized the advertising of bids for the Old School Green Project at 34 N. Oviatt Street; and

WHEREAS, pursuant to the terms of the above referenced Donation Agreement and the First Amendment to the Donation Agreement, the City’s base contract costs relative to the Old School Green Project of up to Three Hundred Three Thousand Four Hundred Fifty-Nine Dollars and Ninety-Five Cents (\$303,459.95) will be reimbursed by the donor; and

WHEREAS, pursuant to the terms of the above referenced Donation Agreement and the First Amendment to the Donation Agreement, Old School Green Project cost overruns falling outside of the project’s base contract price but within the project’s ten percent (10%) contingency of Thirty Thousand Three Hundred and Forty Six Dollars (\$30,346.00) will be reviewed separately by the donor prior to the donor’s reimbursement to the City of funds relative to any project cost overruns; and

WHEREAS, staff has recommended that the bid of Vizmeg Landscape, Inc. of Stow, Ohio, in the amount of Three Hundred Thirty-Three Thousand Eight Hundred Five Dollars and Ninety-Five Cents (\$333,805.95), which includes a ten percent (10%) contingency, be accepted by this Council as being the lowest and best bid; and

WHEREAS, this Council wishes to accept said bid by Vizmeg Landscape, Inc. as being the lowest and best bid for the Old School Green Project and to authorize the City Manager to enter into a contract therefor.

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

Section 1: The City Manager is authorized to enter into a contract with Vizmeg Landscape, Inc. of Stow, Ohio, for the necessary labor, equipment and materials required to construct the Old School Green Project located at 34 N. Oviatt Street including associated infrastructure for the Old School Green Project in an amount not to exceed Three-Hundred Thirty-Three Thousand Eight-Hundred Five Dollars and Ninety Five Cents (\$333,805.95), which includes a ten percent (10%) contingency amount.

Section 2: 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 3: This Resolution is declared to be an emergency measure necessary for the preservation of the health, safety, and general welfare of the City by reason of the immediate necessity to timely award the contract for labor, equipment, and materials for the construction of and the Old School Green Project so as to both secure the best pricing therefor and be able to meet the summer season's construction season deadlines; wherefore, this Resolution shall be in 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; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

David A. Basil, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Resolution No. 19-96 was duly passed by the Council of said Municipality on _____, 2019.

Elizabeth Slagle, Clerk of Council