

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE WILLOW LAKE DRAINAGE IMPROVEMENT PROJECT WITH THE LOWEST AND BEST BIDDER; AND DECLARING AN EMERGENCY.

WHEREAS, the City commenced a storm water hydraulic study of a drainage ditch downstream of properties off Eastham Way and behind properties of the cul-de-sacs of Willow Lake Drive and Chatham Way that has been prone to flooding drainage; and

WHEREAS, although a long-term solution is being studied, a short-term solution is available that includes removal of vegetation from the drainage ditch, re-grading the ditch, and hauling away of waste material at an estimated cost of \$100,000 including a 10% contingency; and

WHEREAS, staff has confirmed that the project meets the City's Private Property Storm Water Policy as follows: (1) the flooding is a public nuisance and resolving the issue would result in public benefit, (2) the project reduces flood risk, (3) the drainage area is between 5 and 300 acres and (4) the problem exceeds resident capacity to resolve.

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 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 Willow Lake Drainage Improvement 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 an amount to be 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 to the extent that such bid is not ten percent (10%) in excess of the Engineer's estimate at the time of bidding.

Section 3. The City Manager is authorized to add a 10% contingency amount to the contract with lowest and best bidder, of which the total contract price including any contingency amounts shall not exceed One Hundred Thousand Dollars (\$100,000.00).

Section 4. 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 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 the project is needed before the work season ends this year to mitigate the drainage issue prior to winter weather; 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: _____, 2023

Jeffrey L. Anzevino, Mayor

ATTEST:

Elizabeth Slagle, Acting Clerk of Council

I certify that the foregoing Resolution No. 23-97 was duly passed by the Council of said Municipality on _____, 2023.

Elizabeth Slagle, Acting Clerk of Council