

ORDINANCE NO. 28-13

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CT CONSULTANTS TO PERFORM ENGINEERING DESIGN SERVICES FOR THE CITY OF AVON FOR THE ELEVATED WATER STORAGE TANK AT MILLS ROAD AND ST. RT. 83 AND DECLARING AN EMERGENCY

WHEREAS, the City of Avon, in an effort to increase capacity of potable water to residents and businesses in the City of Avon, plans to construct a second elevated water storage tank on property it owns at the northeast corner of State Route 83 and Mills Road; and

WHEREAS, the Administration has requested qualifications from various design professionals for the purpose of designing and constructing this improvement; and

WHEREAS, after conducting a thorough review of all the qualifications of the various design professionals, the Administration is prepared to move forward with CT Consultants for the purpose of designing and overseeing construction of this elevated water storage tank and all appurtenances thereto; and

WHEREAS, Council's Service Committee held a hearing on Monday, February 25, 2013 at which the Administration presented its findings and conclusions regarding the proposals from the various design professionals and by a vote of Three (3) in favor and none (0) opposed, recommended to Council the hiring of CT Consultants; and

WHEREAS, Council as a whole, having reviewed said proposal submitted by CT Consultants finds them to be well-qualified to perform the engineering and design services required for the completion of this project and that retaining their services will be in the best interests of the health, safety and welfare of the citizens of Avon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That upon the recommendation of the Administration and its Service Committee, Council hereby authorizes the hiring of CT Consultants to perform the necessary engineering and design services for the construction of a new elevated water storage tank on property the City owns at the northeast corner of State Route 83 and Mills Road, pursuant to the proposal submitted by said firm in substantially the same form as that which is set forth in Exhibit A and incorporated herein by reference, the final contract to be approved by the Law Director.

Section 2 - Payment in the amount of Two Hundred Fifty Thousand, Four Hundred (\$250,400.00) Dollars shall be made from the Water Tower - Mills Road Fund No. 440. Council authorizes the Finance Director to advance funds in the amount of Two Hundred, Fifty Thousand, Four Hundred (\$250,400.00) Dollars from the Capital Improvement Water Fund No. 303 to meet the obligations incurred under the terms of this proposal. Further, the Finance

Ordinance No. 28-13 (Con't.)

Director is authorized to increase the appropriation from Fund No. 303 to Fund No. 440 by a reasonable amount for additional engineering and/or legal services associated with this project.

Section 3 - That it is 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 that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to obtain engineering and design services for the construction of a second elevated water storage tank on city owned property at the northeast corner of State Route 83 and Mills Road; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Daniel S. Zegarac, President of Council

DATE APPROVED BY THE MAYOR: _____

James A. Smith, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director