

ORDINANCE NO: 14 – 1105

AN ORDINANCE WAIVING FORMAL BIDDING AND ADVERTISING REQUIREMENTS AND AUTHORIZING THE WATER SUPERINTENDANT TO CONTRACT WITH LAYNE CHRISTENSEN COMPANY TO DIG A THIRD WATER WELL TO SUPPLEMENT THE CURRENT OPERATIONS OF THE RUSSELLS POINT WATER TREATMENT PLANT WITHOUT BID UNDER OHIO REVISED CODE SECTION 735.051, AND DECLARING AN EMERGENCY IN THE VILLAGE OF RUSSELLS POINT, OHIO

WHEREAS, the water treatment plant operated by the Village provides water to residents of the village and non-residents of the village in the Indian Lake area; and

WHEREAS, the Ohio Environmental Protection Agency has determined that a real and present emergency exists in the Village in that one of three wells providing water to the water treatment plant is no longer a functioning well; and

WHEREAS, the estimated cost of resolving the real and present emergency described hereinabove is \$75,000.00; and

WHEREAS, Ohio Revised Code Section 735.051 provides in part that “[I]n the case of a real and present emergency arising in connection with the operation and maintenance of ... all municipally owned utilities ..., the legislative authority of the municipality may by a two-thirds vote of all the members elected thereto, authorize the ... duly authorized contracting officer ... to enter into a contract for work to be done or for the purchase of supplies or materials without formal bidding and advertising”; and

NOW, THEREFORE, BE IT ORDAINED, by the Council of the Village of Russells Point, Ohio:

SECTION I: This Council finds that a real and present emergency exists.

SECTION II: The Water Superintendent is hereby authorized to enter into a contract or contracts with Layne Christensen Company in an amount not to exceed \$75,000.00 without formal bidding and advertising in order to resolve the emergency described herein above.

SECTION III: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance 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 of the Ohio Revised Code.

SECTION IV: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety in the Village of Russells Point and for the further specific reason that it is necessary to enable this contract to proceed as soon as possible to be of immediate use to the Village and its residents, to be ready for the summer season. This ordinance shall go into immediate effect provided that it receives a two thirds vote of all members of Village Council.

Steve Reid
President Pro Tem of Council

Robin Reames
Mayor

Attested: _____
Jeff Weidner
Fiscal Officer

Approved as to Form
Robert N. Eshenbaugh Jr.
Village Solicitor