

VILLAGE OF OBETZ
RECORD OF ORDINANCES

ORDINANCE: 30 – 19

PASSED: September 9, 2019

AN ORDINANCE RATIFYING THE CONTRACT WITH THE FRANKLIN COUNTY ENGINEER FOR 2019 STREET PAVING, ACCEPTING BIDS, AUTHORIZING THE DIRECTOR OF FINANCE TO MAKE PAYMENT ON THAT CONTRACT AND DECLARING AN EMERGENCY

WHEREAS, Obetz in Ordinance 27 – 18 authorized the borrowing of certain money for the purposes of paving discrete roads in Obetz; and,

WHEREAS, Obetz, through its engineer at the direction of council, entered into a cooperative purchasing agreement (the Agreement) with Franklin County Ohio to bid and administer the paving work; and,

WHEREAS, the bids received through the Agreement were approximately \$2,000,000 below the estimate at the time of bidding; and,

WHEREAS, Franklin County, through the Agreement and with knowledge of Obetz Council awarded the paving work in accordance with the Agreement; and,

WHEREAS, the paving work had to begin in order to be completed during the 2019 construction season; and,

WHEREAS, the funds required to satisfy the Agreement were appropriated on December 10, 2018 in Ordinance 58 – 18; and,

WHEREAS, Council intends to ratify the execution of the Agreement and the appropriation of the money therefore; and,

WHEREAS, Section 5705.41 (D)(1) of the Ohio Revised Code provides that in certain circumstances a subdivision may authorize payment on a contract executed without prior certification by the subdivision's Director of Finance; and,

WHEREAS, Council has received a certificate of the fiscal officer stating that there was at the time of the making of the Agreement and at the time of the execution of such certificate a sufficient sum appropriated for the purpose of the Agreement and in the treasury or in process of collection to the credit of an appropriate fund free from any previous encumbrances; and,

WHEREAS, less than thirty days have passed since the Village Council's receipt of the certificate from the Director of Finance; and,

WHEREAS, the Village Council desires to satisfy the obligation of the Agreement;

NOW THEREFORE, BE IT ORDAINED BY THE VILLAGE COUNCIL OF OBETZ OHIO THAT:

Section 1. Village Council hereby acknowledges receipt of a "then and now certificate" from the Director of Finance, and authorizes and directs the Director of Finance to draw warrants on approved invoices not to exceed \$2,500, 000 based on the unit costs provided in the winning bid proposal .

Section 2. Council hereby ratifies the execution of the Contract with Franklin County and accepts the bid award flowing therefrom.

Section 2. This Ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public health, safety and welfare, such emergency arising from the need to comply with statutory timelines concerning "then and now certificates"; WHEREFORE, this Ordinance shall take effect and be in force from and after its passage.

Passed this 9 day of September 2019.

ATTESTS:

Stacey Boumies
Stacey Boumies, Clerk of Council

D. Greg Scott
D. Greg Scott, Mayor

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Robert Kramer

Robert Kramer, Council President Pro Tem

APPROVED AS TO FORM

Stephen J. Smith

Stephen J. Smith, Esq., Law Director

CERTIFICATION OF PUBLICATION

Pursuant to the Village Charter, I, Stacey E. Boumis, Clerk of Council of the Village of Obetz, Ohio, do hereby certify that Ordinance 30-19 was duly posted at 11:00 AM (time) on the 10 day of September, 2019, at the Obetz Government Center, Obetz Athletic Club, and Obetz Community Center, as well as on the Obetz website.

Stacey Boumis

Stacey Boumis, Clerk



9/10/19

Date