

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading <u>  X  </u>	Waiver 3-Reading Rule <u>      </u>
RESOLUTION NO: <u>  2015 – 7-22  </u>	Yes <u>      </u>	Second Reading <u>      </u>	Yes <u>  X  </u>
INTRODUCED BY <u>  R. FENN  </u>	No <u>  N  </u>	Third Reading <u>      </u>	No <u>      </u>

**A RESOLUTION TO AWARD THE NORTHWEST QUADRANT WATERLINE  
IMPROVEMENT-PHASE 2 CONTRACT TO RUDZIK EXCAVATING,  
AND DECLARING AN EMERGENCY**

WHEREAS, the Village of Boston Heights previously advertised for bids for the Village’s Northwest Quadrant Waterline Improvements-Phase 2 Project (the “Improvement”); and,

WHEREAS, the Mayor and the Village Engineer have reviewed the bids for the Improvement and Rudzik Excavating (the “Contractor”) has been determined to be the lowest and best bidder for the Improvement as evidenced in Exhibit “A,” and,

WHEREAS, in order to timely proceed with this Improvement, the Mayor hereby requests authorization from the Council of the Village to award a contract to the Contractor.

NOW, THEREFORE, be it resolved by Council of the Village of Boston Heights, Summit County, Ohio, as follows:

Section 1: That Council received five submissions from qualified contractors.

Section 2: That the contractors submitting qualifications have been evaluated and that Rudzik Excavating had the lowest bid and is otherwise considered to be the most qualified.

Section 3: That the Mayor is hereby authorized and directed to negotiate and enter a contract with Rudzik Excavating, the contractor most qualified to perform the required services at a compensation determined in writing to be fair and reasonable.

Section 4: That the contract negotiations by the Mayor with the selected Contractor will be directed toward:

- (A) Ensuring that the Contractor and the Village have a mutual understanding of the essential requirements involved in providing the required services;
- (B) Determining that the Contractor will make available the necessary personnel, equipment, and facilities to perform the services within the required time; and,
- (C) Agreeing upon compensation which is fair and reasonable, taking into account the estimated value, scope, complexity and nature of the services.

Section 5: That Village Council hereby awards a contract to Rudzik Excavating for the Village's Northwest Quadrant Waterline Improvement-Phase 2 Project in an amount not to exceed \$1,350,000.00.

Section 6: That this Council hereby finds and determines that all formal actions relative to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council which resulted in formal action were taken in meetings open to the public, in full compliance with the applicable legal requirements including Section 121.22 of the Ohio Revised Code.

Section 7: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and to allow for the timely engagement of Rudzik Excavating in order to complete the Improvement during good weather, and for continued operations of the Village departments and shall, therefore, take effect and be in force from and immediately after its passage.

PASSED:

  
\_\_\_\_\_  
BILL GONCY, MAYOR

ATTEST:

  
\_\_\_\_\_  
BETTY KLINGENBRG, FISCAL OFFICER

I, Betty Kligenberg, Fiscal Officer and Clerk of the Village of Boston Heights, Summit County, Ohio, do hereby certify that the foregoing Resolution **2015-7- 22** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this **14<sup>th</sup> day of July, 2015.**