

RECORD OF ORDINANCES

Ordinance No. 06-10

Passed February 22, 2010

AN ORDINANCE TO PROVIDE FOR A CONTRACTING PROCEDURE FOR CONSTRUCTION OF THE OBETZ RECREATION COMPLEX, PHASE I, AND TO DECLARE AN EMERGENCY.

WHEREAS, the Council of the Village of Obetz desires to waive competitive bidding and establish a specific contracting procedure for purposes of negotiating a proposal and entering into a contract for construction of the Obetz Recreation Complex, Phase I; and,

WHEREAS, the Village Council is empowered to enact ordinances for the waiver of competitive bidding in the awarding of contracts by Section 8.02(C) of the Village Charter; and,

WHEREAS, Council finds that it is in the best interest of the Village of Obetz and its citizens that Quandel Group be chosen as the contractor for the construction of the Obetz Recreation Complex, Phase I, and that the Village Administrator further be empowered to negotiate with Quandel Group to ensure that the construction contract provide for the most efficient, cost-effective and beneficial construction process for the Village of Obetz;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF OBETZ, OHIO, no less than five members of Council concurring:

Section 1. That Council hereby finds and declares that, as a "home rule" charter village, Obetz shall not be obligated to follow statutory procedures regarding contracting, including but not limited to Ohio Revised Code Sections 721.01-721.03, 9.312, 9.313, 9.32, 9.33-9.332, 153.12-153.14, 153.50-153.52, 153.34, 153.56-153.571, 153.67-153.71, 735.05-735.09, and other applicable sections within O.R.C. Chapter 153.

Section 2. That, pursuant to Section 8.02(C) of the Village Charter, Village Council hereby waives competitive bidding with regard to the contract for construction of the Obetz Recreation Complex, Phase I, and hereby determines that such contract shall be awarded to Quandel Group. Council hereby empowers the Village Administrator to negotiate with Quandel Group to ensure that the construction contract provide for the most efficient, cost-effective and beneficial construction process for the Village of Obetz pursuant to a project delivery method selected by the Mayor pursuant to Section 8.02(D) of the Village Charter.

Section 3. That this ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety and for the further reason that there exists the immediate necessity to provide for the most efficient and beneficial construction process of the Obetz Recreation Complex, Phase I, such that construction can be completed during 2010; WHEREFORE, this ordinance shall take effect and be in force from and after its passage.

Passed this 22 day of February, 2010.

ATTEST:

Stacey Bourmis
Acting Clerk of Council

E. Rod Davisson
E. Rod Davisson, Mayor

James K. Temple
Council Pres. Pro Tem

APPROVED AS TO FORM

Eugene L. Hollins
Eugene L. Hollins
Village Solicitor

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CERTIFICATE OF PUBLICATION

Pursuant to the provisions of the Ohio Revised Code, Sec. 731.25, I, Donna Hubner, Fiscal Officer of the Village of Obetz, published by posting the same on the 26 day of February, 2010, at each of the five most public places in the Village of Obetz, as follows: Richardson's Barbershop, Alum Creek Carry-out, K & M Market, Obetz Hardware and Builders Supply, Inc. and the Obetz Municipal Building.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my seal of office this 26 day of February, 2010.




Donna Hubner, Fiscal Officer