

RESOLUTION NO. R23-13

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH J & J SCHLAEGEL, INC. FOR THE WHISPERING CROSSOVER SANITARY SEWER REPLACEMENT AT A COST OF \$678,602.86, PLUS A CONTINGENCY AMOUNT OF TEN PERCENT (10%) OF THE CONTRACT PRICE, OR \$67,860.29, FOR AN AMOUNT NOT TO EXCEED \$746,463.15.

WHEREAS, the City needs to replace the sanitary sewer line at Whispering Crossover (the “Whispering Crossover Sanitary Sewer Replacement” or the “Project”); and

WHEREAS, the City advertised twice for bids as required by law, but no bids were submitted; and

WHEREAS, Ohio Revised Code Section 735.051 authorizes municipalities to dispense with formal bidding requirements in cases of real and present emergencies arising in connection with the operation and maintenance of municipally owned utilities; and

WHEREAS, Council has determined that there is a real and present emergency with respect to the Whispering Crossover sanitary sewer line, which necessitates the commencement of the Project as soon as possible; and

WHEREAS, the City Manager recommends that City Council authorize the City Manager to enter into a contract with J & J Schlaegel, Inc. for the Whispering Crossover Sanitary Sewer Replacement at a cost of \$678,602.86, plus a contingency amount of ten percent (10%), or \$67,860.29, for an amount not to exceed \$746,463.15.

NOW, THEREFORE, BE IT RESOLVED BY A VOTE OF FIVE (5) MEMBERS OF THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: The Trotwood City Council hereby finds that there is a real and present emergency with respect to the Whispering Crossover Sanitary Sewer Replacement.

SECTION II: City Council authorizes the City Manager to enter into a contract with J & J Schlaegel, Inc. to complete the Project for an amount not to exceed \$746,463.15.

TROTWOOD, OHIO 45426

3035 OLIVE ROAD

CITY OF TROTWOOD

SECTION III: Funds have been appropriated or are in the process of collection in an amount sufficient to pay the authorized contract amount.

SECTION IV: This Resolution shall take effect and be in full force from and after the date of its passage.

Passed this **6th** day of **March, 2023**.

ATTEST:

APPROVED:


KARA B. LANDIS
CLERK OF COUNCIL


MARY A. MCDONALD
MAYOR


YVETTE F. PAGE
VICE-MAYOR

CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Resolution No. **R23-13** adopted by the Trotwood City Council at a regular scheduled meeting held on the **6th** day of **March, 2023**, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL