

RESOLUTION 06-2023

A RESOLUTION ACCEPTING THE BID OF KIRK BROS. CO., INC. FOR THE VILLAGE OF COMMERCIAL POINT WASTEWATER TREATMENT PLANT EXPANSION PROJECT AND AUTHORIZING THE MAYOR, VILLAGE ADMINISTRATOR, AND FISCAL OFFICER OF THE VILLAGE OF COMMERCIAL POINT TO ENTER INTO A CONTRACT WITH KIRK BROS CO., INC. FOR SAID PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the Village Council is authorized to provide for water works within the Village pursuant to Ohio Revised Code Section 743.01, and is authorized to provide for sanitary sewer works within the Village pursuant to Ohio Revised Code Sections 729.11, 729.47, 729.50, and 729.51; and

WHEREAS, the Village is in need of expanding the current wastewater treatment facility to serve the needs of the Village ("Wastewater Treatment Plant Expansion Project"); and

WHEREAS, the Village Administrator has general supervision over the Village's public utilities, including water works and sanitary sewer works, pursuant to Ohio Revised Code 735.273; and

WHEREAS, on December 5, 2022, the Village Council adopted Ordinance 2022-32, authorizing and directing the Village Administrator to seek bids for the expansion of the Village's Wastewater Treatment Plant, and for the Village Administrator to present the lowest and best bid to Village Council for Council's consideration; and

WHEREAS, advertisement for bids for the Wastewater Treatment Plant Expansion Project occurred per R.C. 153.07, R.C. 731.141, and R.C. 7.16; and

WHEREAS, said bids were publicly opened and read on February 14, 2023; and

WHEREAS, the lowest and best bid was received from Kirk Bros. Co., Inc. at thirteen million six hundred forty thousand dollars and 00/100 cents (\$13,640,000.00); and

WHEREAS, Sands Decker, the Project Engineer for the Wastewater Treatment Plant Expansion Project, states that Kirk Bros. Co., Inc. is a responsible bidder capable and qualified to perform the work, and that its bid was in compliance with all bid, contract, and legal requirements, and now recommends that the Contract for Wastewater Treatment Plant Expansion Project be awarded to Kirk Bros. Co., Inc.; and

WHEREAS, the Village Administrator has presented the bid of Kirk Bros. Co., Inc. to the Village Council for its consideration with his recommendation that the Contract for the Wastewater Treatment Plant Expansion Project be awarded to Kirk Bros. Co., Inc.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF COMMERCIAL POINT, PICKAWAY COUNTY, OHIO THAT:

SECTION 1. Acceptance of Bid of Kirk Bros. Co., Inc. and Award of Contract. The bid of Kirk Bros. Co. Inc. for the Wastewater Treatment Plant Expansion Project for thirteen million six hundred forty thousand dollars and 00/100 cents (\$13,640,000.00) is hereby accepted. The Village Council hereby awards the Contract for the Wastewater Treatment Plant Expansion Project to Kirk Bros. Co., Inc. in accordance with the specifications of the Project Engineer, the bid, and the contract documents.

SECTION 2. Authorization and Direction to Enter into Contract with Kirk Bros. Co. Inc. The Mayor, Village Administrator, and Fiscal Officer are hereby authorized and directed to enter into a contract with Kirk Bros. Co. Inc. in accordance with the specifications of the Project Engineer, the bid, and the contract documents for the completion of the Wastewater Treatment Expansion Project.

SECTION 3. Open Meetings Certification. It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council per the requirements of Ohio Revised Code Section 121.22, 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.

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SECTION 4. Effective Date; Declaration of Emergency. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety of the Village of Commercial Point because, per Ohio Revised Code Section 153.12, the award and execution of the Wastewater Treatment Plant Expansion Project Contract must occur no later than April 15, 2023 and, therefore, this Resolution shall go into immediate effect upon passage.

Vote on Suspension of the Readings:

Motion by: Audrea Ratliff

2nd: Laura Wolfe

Roll Call:

Yes Nancy Geiger

Yes Ryan Mitchem

Yes Audrea Ratliff

N/A Ross Crego

Yes Stacey Plybon

Yes Laura Wolfe

Vote on Passage of the Resolution:

Motion by: Nancy Geiger

2nd: Laura Wolfe

Roll Call:

Yes Nancy Geiger

Yes Ryan Mitchem

Yes Audrea Ratliff

N/A Ross Crego

Yes Stacey Plybon

Yes Laura Wolfe

Adopted this 6th day of March, 2023.


Allan D. Goldhardt, Mayor


Wendy Hastings, Fiscal Officer

Approved as to Form:


Joshua Cartee, Village Solicitor