

ORDINANCE NO. 102-13

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO
AN AGREEMENT WITH BRAMHALL ENGINEERING & SURVEYING CO.
TO PERFORM ENGINEERING DESIGN SERVICES FOR
THE CHESTER ROAD WIDENING PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon desires to move forward with the widening of Chester Road between Moore Road and State Route 83; and

WHEREAS, said project is necessary to facilitate truck traffic in and around the area when the Chester Road-Route 611 intersection re-design and construction project results in the closure of that intersection; and

WHEREAS, the Administration, pursuant to its City Charter, has requested qualifications from various design professionals for the purpose of engineering the widening of Chester Road; and

WHEREAS, after conducting a thorough review of all the qualifications of the various design professionals, the Administration is prepared to move forward with Bramhall Engineering & Surveying Co. for the purposes of designing said project; and

WHEREAS, Council, having reviewed the proposal for professional services submitted by Bramhall Engineering & Surveying Co. finds their proposal to be best suited to meet the City's requirements for the project and considers acceptance of said proposal by the Administration to be in the best interests of the health, safety and welfare of the citizens of Avon.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That the Mayor is hereby authorized to accept the proposal submitted by Bramhall Engineering & Surveying Co. for professional design engineering services for the proposed widening of Chester Road between Moore Road and State Route 83, a copy of which is set forth as Exhibit A and incorporated herein by reference.

Section 2 - The Finance Director is hereby authorized to transfer funds in the amount of Forty-Five Thousand Seven Hundred Fifty Dollars and 00/100 (\$45,750.00) from the from the General Fund No. 101 to the Chester Road Widening Fund No. 477 to meet the obligations incurred under the terms of this contract and to cover other costs incurred for engineering and legal services associated with this project. This Ordinance shall authorize said funds to be appropriated and encumbered by the Finance Director and paid pursuant to his directives.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this

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Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to proceed with the widening of Chester Road between Moore and State Route 83 by accepting the engineering design proposal submitted by Bramhall Engineering & Surveying Co. for said project; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Daniel S. Zegarac, President of Council

DATE APPROVED BY THE MAYOR: _____

James A. Smith, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Ellen R. Young
Clerk of Council

POSTED: _____
In Five Places as
Provided by Council

Prepared by:
John A. Gasior, Esq.
Law Director