

2
3 CITY OF CUYAHOGA FALLS, OHIO

4
5 ORDINANCE NO. 91 - 2012

6
7 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
8 PUBLIC SERVICE TO ENTER INTO A CONTRACT
9 AND/OR CONTRACTS WITHOUT COMPETITIVE
10 BIDDING WITH KARVO PAVING COMPANY FOR
11 EMERGENCY PAVEMENT REPAIRS TO A PORTION OF
12 GRAHAM ROAD, AND DECLARING AN EMERGENCY.

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14 WHEREAS, on September 7, 2012, two adjacent water mains in Graham Road
15 failed at a point abutting 180 Graham Road, requiring immediate excavation and
16 repair; and

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18 WHEREAS, Ohio Revised Code §735.051 authorizes this Council to waive
19 formal competitive bidding and advertising for contracts where there is a real and
20 present emergency arising in connection with the operation and maintenance of a
21 municipally-owned utility; and

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23 WHEREAS, there exists a real and present emergency in connection with
24 damage to the pavement of Graham Road between 144 and 180 Graham Road, due
25 to the aforementioned water main failures, such that normal competitive bidding
26 for the pavement repair contract cannot be accomplished without unreasonable
27 risk to public safety,

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29 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
30 Falls, County of Summit and State of Ohio, that:

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32 Section 1. The Director of Public Service is hereby authorized to enter into a
33 contract and/or contracts without competitive bidding with Karvo Paving Company
34 for emergency repair to approximately 400 linear feet of the pavement of Graham
35 Road, from 144 to 180 Graham Road, as a result of water main failures on
36 September 7, 2012.

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38 Section 2. The Director of Finance is authorized to make payment for same from
39 the Water Fund, line item Capital Outlay.

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41 Section 3. Any other ordinances or resolutions or portions of ordinances and
42 resolutions inconsistent herewith are hereby repealed, but any ordinances and
43 resolutions not inconsistent herewith and which have not previously been repealed
44 are hereby ratified and confirmed.

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46 Section 4. It is found and determined that all formal actions of this Council
47 concerning and relating to the adoption of this ordinance were adopted in an open
48 meeting of this Council, and that all deliberations of this Council and of any of its
49 committees that resulted in such formal action, were in meetings open to the

50 public, in compliance with all legal requirements, to the extent applicable,
51 including Chapter 107 of the Codified Ordinances.

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53 Section 5. This ordinance is hereby declared to be an emergency measure
54 necessary for the preservation of the public peace, health, safety, convenience and
55 welfare of the City of Cuyahoga Falls and the inhabitants thereof, for the reason
56 that it is immediately necessary to permit timely and appropriate development of
57 this property, and provided it receives the affirmative vote of two thirds of the
58 members elected or appointed to Council, it shall take effect and be in force
59 immediately upon its passage and approval by the Mayor; otherwise it shall take
60 effect and be in force at the earliest period allowed by law.

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Passed: 10-20-12

Mark Hasy
President of Council

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Concepcion J. Meacham
Clerk of Council

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Approved: 10/23/12

Robert
Mayor

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10/8/12

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