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CITY OF CUYAHOGA FALLS, OHIO

ORDINANCE NO. 20 - 2017

AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT OR CONTRACTS, ACCORDING TO LAW, FOR THE DESIGN-BUILD SERVICES NECESSARY TO CONDUCT PHASE II INSTREAM AND RIPARIAN RESTORATION OF KELSEY CREEK, AND FOR ASSOCIATED STREAM BANK RESTORATION, AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code §153.65 *et seq.*, and Ohio Administrative Code Section 153:1-6-02 *et seq.* provide a process for the competitive best-value selection of design-build firms, under which public authorities such as the City of Cuyahoga Falls may employ a competitive selection process for procurement of design-build services without formal competitive bidding; and

WHEREAS, Article VI, Section 13 of the City Charter authorizes the City to employ any procurement process provided in Ohio law for general law municipalities,

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

Section 1. The Director of Public Service is hereby authorized to enter into a contract or contracts, according to the law governing procurement of design-build services, for the design-build services necessary to conduct the Phase II instream and riparian restoration of Kelsey Creek, and for associated stream bank restoration.

Section 2. The Director of Finance is hereby authorized and directed to make payment for same from the Storm Drainage Utility Fund, line item Capital Outlay.

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 Any other ordinances or resolutions or portions of ordinances and resolutions inconsistent herewith are hereby are repealed, but any ordinances and resolutions not inconsistent herewith and which have not previously been repealed are hereby ratified and confirmed.

Section 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, to the extent applicable, including Chapter 107 of the Codified Ordinances.


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

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Passed: 3-13-17

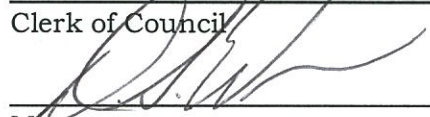


President of Council



Clerk of Council

Approved: 3-15-2017



Mayor

2/27/17

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