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3
4 CITY OF CUYAHOGA FALLS, OHIO

5
6 ORDINANCE NO. 9 - 2013
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8
9 AN ORDINANCE AUTHORIZING THE DIRECTOR OF
10 PUBLIC SERVICE TO ENTER INTO A CONTRACT OR
11 CONTRACTS, ACCORDING TO LAW, FOR THE
12 DESIGN-BUILD SERVICES NECESSARY TO CONDUCT
13 THE RIPARIAN RESTORATION OF KELSEY CREEK,
14 AND FOR ASSOCIATED STREAM BANK
15 RESTORATION, AND DECLARING AN EMERGENCY.
16

17 WHEREAS, Ohio Revised Code §153.65 *et seq.*, and Ohio Administrative Code
18 Section 153:1-6-02 *et seq.* provide a process for the competitive best-value
19 selection of design-build firms, under which public authorities such as the City of
20 Cuyahoga Falls may employ a competitive selection process for procurement of
21 design-build services without formal competitive bidding; and
22

23 WHEREAS, Article VI, Section 13 of the City Charter authorizes the City to
24 employ any procurement process provided in Ohio law for general law
25 municipalities,
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27 NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Cuyahoga
28 Falls, County of Summit and State of Ohio, that:
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30 Section 1. The Director of Public Service is hereby authorized to enter into a
31 contract or contracts, according to the law governing procurement of design-build
32 services, for the design-build services necessary to conduct the riparian restoration
33 of Kelsey Creek, and for associated stream bank restoration.
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35 Section 2. The Director of Finance is hereby authorized and directed to make
36 payment for same from the Storm Drainage Utility Fund, line item Capital Outlay.
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38 Section 3. Any other ordinances or resolutions or portions of ordinances and
39 resolutions inconsistent herewith are hereby are repealed, but any ordinances and
40 resolutions not inconsistent herewith and which have not previously been repealed
41 are hereby ratified and confirmed.
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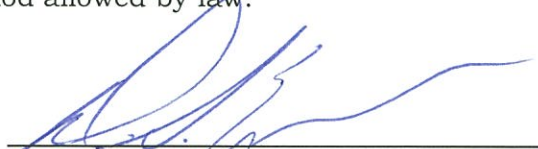
43 Section 4. It is found and determined that all formal actions of this Council
44 concerning and relating to the adoption of this ordinance were adopted in an open
45 meeting of this Council, and that all deliberations of this Council and of any of its
46 committees that resulted in such formal action, were in meetings open to the
47 public, in compliance with all legal requirements, to the extent applicable,
48 including Chapter 107 of the Codified Ordinances.
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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

53 that it is immediately necessary to permit timely and appropriate development of
54 this property, and provided it receives the affirmative vote of two thirds of the
55 members elected or appointed to Council, it shall take effect and be in force
56 immediately upon its passage and approval by the Mayor; otherwise it shall take
57 effect and be in force at the earliest period allowed by law.

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Passed: 1-28-13

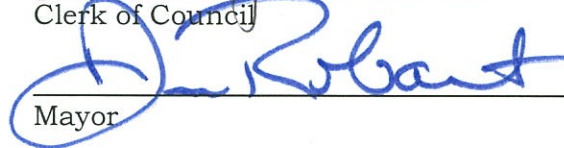


President of Council



Catherine J. Meacham
Clerk of Council

Approved: 1/29/13



Mayor

1/14/13
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