

VILLAGE OF HOLLAND, LUCAS COUNTY, OHIO
ORDINANCE NO. 39-2024

**ORDINANCE AWARDING PROJECT CONTRACT, AUTHORIZING THE MAYOR OR
VILLAGE ADMINISTRATOR TO SIGN AN AGREEMENT, AND DECLARING AN
EMERGENCY.**

WHEREAS, the Village of Holland is a charter village located in Lucas County, Ohio, with powers of local self-government pursuant to Ohio Constitution Article XVIII, Section 3, and

WHEREAS, the Village of Holland, through its engineer, created bid specifications and published notice requesting bids to perform certain work on or at Kipling Drive and Springfield Drive resurfacing, (the Project), and

WHEREAS, the Village of Holland engineer considered all timely submitted bids for the Project and has made its recommendation for the lowest and best contractor to complete the Project, and

WHEREAS, the Village Council has reviewed the bid proposal and corresponding agreement proposal and has agreed to approve the recommendation of its engineer and award the contract for the Project.

NOW, THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE VILLAGE OF HOLLAND, LUCAS COUNTY, OHIO, THAT:

1. The Village waives informalities in the bid received by Helms & Sons Excavating, Inc., as permitted by the bid advertisement. Specifically, the Village acknowledges Helms & Sons Excavating, Inc., committed a mathematical error in its bid, which this Council finds to be not of consequence. Further, the Village acknowledges that Helms & Sons Excavating failed to acknowledge receipt of Addendum #1 of the bid document, and include its insurance affidavit, oversights hereby waived by Council.
2. The Village finds the bid from Helms & Sons Excavating, Inc. is the lowest and best bid, is the only bid received the total of which is below the engineer's official estimate of probable cost, and accepts the engineer's recommended contractor for the Project. Helms & Sons Excavating, Inc. is hereby awarded the contract to perform the Project, as set forth in the engineer's specifications and the notice of award, and in a contract with Helms & Sons Excavating, Inc. for the Project, in the amounts set forth in the notice of award and an agreement for the work.
3. The Mayor and/or the Village Administrator is hereby authorized to execute a notice of award and to enter into an agreement, on behalf of the Village of Holland, for the Project, as outlined in the Village engineer's specifications and in the notice of award and agreement, and that such notice of award and a contract for the work are hereby approved.
4. The Mayor and/or the Village Administrator is hereby authorized to sign any and all additional documents necessary to complete the Project.
5. Council hereby approves the use of the remainder of the American Rescue Act grant revenue to pay for this project, and approves this project for this use.

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6. It is hereby 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 Council and that all deliberations of this Council and of any other committees that results in such formal action were in meetings open to the public in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

7. This measure is an emergency measure necessary to the health and safety of the Village and its residents for the reason that the Project is an immediate need, the contractor is available to perform the work forthwith, and three readings of this ordinance would delay the project and potentially result in additional costs and expenses. Further, the health of the Village's streets are essential to the health and safety of the community.

Vote on emergency measure: _____ Ayes _____ Nays _____ Abstain

Vote on passage: _____ Ayes _____ Nays _____ Abstain

Passed this 20th day of August, 2024.

Scott Brown, President of Council

Attest:

Approved:

Leslie Ferman, Acting Clerk-Treasurer

Ryan Spangler, Mayor