

**AN ORDINANCE  
AUTHORIZING THE MAYOR TO ENTER INTO AN  
AGREEMENT WITH BURTON SCOT CONTRACTORS LLC  
FOR THE SOUTH FRANKLIN STREET WATER MAIN  
REPLACEMENT PROJECT, AND DECLARING AN  
EMERGENCY.**

WHEREAS, the Village solicited bids pursuant to law for the South Franklin Street Water Main Replacement Project; and

WHEREAS, bids were received on July 18, 2012; and

WHEREAS, the Village Engineer reviewed and evaluated the bids received; and

WHEREAS, due to expected soil conditions, the Village Engineer has recommended that the Village not accept alternate bids relating to the use of PVC pipe in lieu of ductile iron for portions of the project; and

WHEREAS, this Council accepts the Village Engineer's recommendation relating to alternate bids; and

WHEREAS, based upon the recommendation of the Village Engineer, the Village hereby determines Burton Scot Contractors LLC to be the lowest and best bidder.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF CHAGRIN FALLS, CUYAHOGA COUNTY, STATE OF OHIO:**

SECTION 1. That the Mayor be and is hereby authorized and directed to enter into an agreement with Burton Scot Contractors LLC, 11330 Kinsman Road, Newbury, Ohio, 44065, for the South Franklin Street Water Main Replacement Project in an amount not to exceed Six Hundred Forty-Eight Thousand Seven Hundred Fifty Dollars and Zero Cents (\$648,750.00) in accordance with the specifications on file with the Village Engineer.

SECTION 2. That sufficient funds are hereby appropriated to pay for the agreement authorized herein.

SECTION 3. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 4. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 5. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of this Village and for the further reason that this Ordinance must be immediately effective so that the necessary water main replacement project on South Franklin may begin as soon as possible; wherefore, provided it receives the requisite number of affirmative votes of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: July 23, 2012

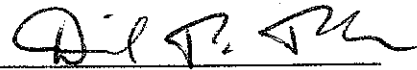
  
\_\_\_\_\_  
Council President

Submitted to the Mayor for  
his approval on this  
24 day of July, 2012

Approved by the Mayor  
July 24, 2012

  
\_\_\_\_\_  
Mayor

I hereby certify that Ordinance No. 2012-33 was duly enacted on the 23 day of July, 2012, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.

  
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Clerk of Council