

**AN ORDINANCE
AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH
H & M LANDSCAPING FOR THE FALLS WALKWAY IMPROVEMENTS,
AND DECLARING AN EMERGENCY.**

WHEREAS, the Village published legal notice according to law requesting proposals, and proposals were received for labor and materials for repairs to the wooden stair case leading to the walkway on the south side of the Chagrin River at the entrance to the walkway located on North Main Street across from Bell Street ("Falls Walkway Improvements"); and

WHEREAS, the Village is responsible for providing safe and secure walkways for the public at this location; and

WHEREAS, the Village, based upon its operational needs and facilities, finds it necessary to enter into a contract with H & M Landscaping for the Falls Walkway Improvements; and

WHEREAS, the lowest and best proposal received for said labor and materials for the Falls Walkway Improvements was from H & M Landscaping with a base bid total of \$10,928.00.

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 contract for making repairs to the wooden stair case leading to the walkway on the south side of the Chagrin River from the entrance to the walkway located on North Main Street across from Bell Street. The fee for Falls Walkway Improvements is set forth in the attached proposal, and the agreement shall be initially certified for Twelve Thousand Five Hundred Dollars (\$12,500.00). A copy of the Proposal is attached hereto and incorporated herein as "Exhibit A," provided that such contract shall be amended as determined necessary by the Director of Law to protect the interests of the Village of Chagrin Falls. The Mayor may execute such further documentation and perform such additional actions as may be necessary to accomplish the purposes of the contract.

SECTION 2. 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 3. The funds necessary for the contract authorized in Section 1 of this Ordinance have been appropriated by this Council.

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 Village may protect the public health, safety and welfare of its citizens by making the repairs in the fall season, before adverse weather conditions may make such work more difficult and expensive; 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: October 14, 2013



Council President


Submitted to the Mayor for
his approval on this
15 day of October, 2013

Approved by the Mayor
October 15, 2013



Mayor

I hereby certify that Ordinance No. 2013- 61 was duly enacted on the 14 day of October, 2013, 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.



Clerk of Council

EXHIBIT A

Proposal to Village of Chagrin Falls
 Falls Walkway Improvements
 Project No. 1300604

REF. NO.	DESCRIPTION (Base Bid)	QTY	UNIT OF MEASURE	UNIT PRICE LABOR	UNIT PRICE MATERIAL	ITEM TOTAL
1	(5) Staircase supports including footers, posts, beam, hardware, and incidentals	1	Lump Sum	\$ 5200.00	\$ 2522.00	\$ 7722.00
2	Replace decking and joists at N. Main Landing	1	Lump Sum	\$ 4400.00	\$ 1969.50	\$ 6369.50
3	Repair stone wall and bearing at lower platform	1	Lump Sum	\$ 2400.00	\$ 806.00	\$ 3206.00
4	Contingency	1	Lump Sum	\$ -----	\$ -----	\$ 3,000.00

Informal Base Bid Total: \$ 20,297.50

The Contractor hereby acknowledges that he has reviewed the following addenda:

Addendum No. _____

Date: _____

The undersigned, having full knowledge of the plans and specifications for the improvements and the conditions of the Proposal hereby agree to furnish all the services, labor, materials, and equipment necessary to complete the work according to the plans and specifications and to accept as full compensation the lump sum or the unit prices specified serving as deduct or extra compensation rates.

And We (or I) do hereby agree that in the event of failure on OUR part to contract as aforesaid (provided this Proposal is accepted) the Bid Bond, Check or Letter of Credit accompanying this Proposal shall be forfeited to the Owner as liquidated damages for the difference between this bid and the awarded Contract price, not to exceed the amount of bond. We further agree that the Owner may reject any or all bids.

By signature below, I hereby certify that I AND MY Insurance Agent have examined the insurance requirements in the specifications and that the types and amounts of same are currently in effect or will be obtained and kept in effect for the project duration and that my Insurance Agent has assured that notification of non-renewal, policy modification, and/or cancellation to all certificate holders will occur per the contract requirements. Verification will be provided to the Owner subsequent to the issuance of a Notice of Award.

Submitted by.

H M Landscaping
Firm, Corporation, or Individual

Joe Malarco VP
Officer's Name and Title (typed)

440.564.1157
Telephone Number

10389 Kinsman Rd
Street Address

[Signature]
Officer's Signature

440.564.5609
Fax Number

Newbury OH 44065
City, State, Zip Code

joemalarco@hmlandscaping.com
E-Mail Address

Note: Evidence of authority to sign must be affixed and attested by the Secretary.

COMPLETION DATE: We do hereby agree, if awarded the contract, to guarantee completion of work covered by this proposal by

9-27-13, 2013.

ORDINANCE NO.: 2013- 61
INTRODUCED BY: MR. PATTON

September 2013

This is a blank and printable September Calendar. Courtesy of WinCalendar.com. I am fully editable and ideal to use as a planner.

~ September 2013 ~						
Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 HOLIDAY	3 DECK WORK	4 DECK WORK	5 DECK WORK	6 DECK WORK	7
8	9 DECK WORK	10 DECK WORK	11 DECK WORK	12 DECK WORK	13 DECK WORK	14
15	16 DECK WORK	17 DECK WORK	18 DECK WORK	19 DECK WORK	20 DECK WORK	21
22	23	24	25	26	27	28
29	30	Notes:				

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