

ORDINANCE NO. 7789

AN ORDINANCE AUTHORIZING CONTRACTS TO PROCEED WITH WIDENING OF SOUTH CLINTON STREET AND DECLARING AN EMERGENCY

WHEREAS, the Ohio Department of Transportation has awarded the City two grants providing 80% of the anticipated cost to widen portions of State Route 111, South Clinton Street, in accordance with designs and material specifications on file as ODOT Project Identification No. 92830 and City Engineering Project Number 1603; and,

WHEREAS, proposals to supply all labor, materials, fuel and equipment necessary to construct the improvements were properly solicited and Helms & Sons Excavating submitted the lowest responsive and responsible bid in the amount of \$1,896,620.22; and,

WHEREAS, a Qualifications Based selection process was employed to select DGL Consulting Engineers as the preferred consultant to provide project oversight, inspection and testing services needed to properly administer the construction contract; and,

WHEREAS, mutually acceptable terms and conditions of service have been negotiated with DGL Consulting Engineers in accordance with statutory requirements; and,

WHEREAS, the Ohio Department of Transportation has reviewed and approved the processes employed to select and engage the contractor and consultant;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The City Administrator is authorized to award a contract to Helms & Sons Excavating to supply all labor, materials, equipment and fuel required to construct improvements to State Route 111, South Clinton Street, in substantial conformity with the approved plans and specifications on file as ODOT PID 92830 and City Project No. 1603 at the prices and on the terms and conditions of service established by the accepted bid.

Section 2: The City Administrator is authorized to contract with DGL Consulting Engineers to provide project oversight, inspection and testing services described by and on the terms and conditions of service recited in the contract proposal now on file and at a total aggregate expense of not more than \$223,300.00.

Section 3: The Finance Director is authorized to pay all costs incurred in accordance with the contracts authorized by Sections 1 and 2 of this Ordinance from Line 403-901-5-2-979-062 of the 2016 annual budget.

Section 4: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

Section 5: This Ordinance is declared to be an emergency measure necessary to preserve the health and safety of the community for the reason that the proposed improvements are required to improve traffic safety and immediate award of the contracts is required to assure completion of construction within the time period allowed by the funding grants awarded by the Department of Transportation. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than 5 Members of Council and approval of the Mayor.

Passed: February 2, 2016

Michael Ketcham
President of Council

Votes in Favor of Adoption: 6

Votes Opposed to Adoption: 1

Attest: Lisa Elders, Clerk

Approved: February 2, 2016

Michael McCann
Mayor

ORDINANCE NO. 7790

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS WITH THE OHIO DEVELOPMENT SERVICES AGENCY AND MAUMEE VALLEY PLANNING ORGANIZATION PERTAINING TO THE ADMINISTRATION OF COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME INVESTMENT PARTNERSHIP FUNDS AND DECLARING AN EMERGENCY

WHEREAS, the City has used federal Community Development Block Grant and Home Investment Partnership funds administered by the Ohio Development Services Agency to increase housing opportunities for low and moderate income persons and achieve other Federal objectives; and,

WHEREAS, the City has traditionally relied on Maumee Valley Planning Organization to provide technical assistance with the administration of federally-funded programs; and,

WHEREAS, the Ohio Development Services Agency requires periodic renewal of the contract between the State of Ohio and City of Defiance pertaining to local governmental administration of federal housing funds and has presented the City with an agreement for the period beginning January 1, 2016, and ending December 31, 2018; and,

WHEREAS, The City requires continuing technical assistance from Maumee Valley Planning Organization to assure that federally-funded programs are administered in accordance with regulatory requirements;

Now therefore, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

Section 1: The proposed agreement between the City of Defiance and State of Ohio entitled, "HOUSING REVOLVING LOAN FUND ADMINISTRATION AGREEMENT" for the period beginning January 1, 2016, and ending on December 31, 2018, is approved. The Mayor is directed to execute the document and deliver it to the State of Ohio, Development Services Agency immediately upon adoption of this Ordinance.

Section 2: The Mayor is authorized to extend the expiration date of all contracts between the City and Maumee Valley Planning Organization pertaining to administration of funds subject to the contract authorized by Section 1 to December 31, 2018.

Section 3: It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session duly convened in accordance with law.

Section 4: This Ordinance is declared to be an emergency measure because the authorized contracts pertain to administration of federal funds on and after January 1, 2016, necessitating that the agreements be promptly executed to preserve the municipality's eligibility to participate in federally-funded programs essential to the welfare of the City and its inhabitants. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than 5 Members of Council and approval of the Mayor.

Passed: February 2, 2016

Michael Ketcham
President of Council

Votes in Favor of Adoption: 7

Votes Opposed to Adoption: 0

Attest: Lisa Elders, Clerk

Approved: February 2, 2016

Michael McCann
Mayor