

**RESOLUTION NO. 005-15**

**A RESOLUTION AUTHORIZING THE EXPENDITURE OF FUNDS OVER TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) FOR THE PURPOSE OF REPAIRING AN AREA OF THE SCOTT STREET SANITARY SEWER AND AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LIQUIFORCE SERVICES FOR SAID REPAIRS, AND DECLARING AN EMERGENCY**

**WHEREAS**, during the large Inflow and Infiltration Study performed by Stantec it was found that portions of the sanitary sewer on Scott Street and the VanHynning Interceptor were in need of spot repairs; and,

**WHEREAS**, after reviewing price quotes from companies, LiquiForce Services was chosen to perform the repairs which totaled less than \$25,000.00; and,

**WHEREAS**, after completing some of the work it was noticed that the spot repairs would not be sufficient; and,

**WHEREAS**, the added repairs would cause the total contract price to exceed \$25,000.00 and out of an abundance of caution it was advised that the matter be sole sourced; and,

**WHEREAS**, LiquiForce Services has already started the project and can continue to make the additional changes it is recommended that the matter be sole sourced to LuquiForce Services; and,

**WHEREAS**, the Council believes it is in the best interest of the City of Napoleon to eliminate the necessity for competitive bidding; **Now Therefore**,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPOLEON, OHIO:**

Section 1. That, the City of Napoleon authorizes the expenditure of funds in excess of \$25,000.00 for the repair of the Scott Street sanitary sewer. Also, Council finds it to be in the best interest of the City to eliminate the necessity for competitive bidding.

Section 2. That, the City Manager is authorized to enter into a contract with LiquiForce Services to conduct the repairs.

Section 3. That, it is found and determined that all formal actions of this City Council concerning and relating to the adoption of this Resolution were adopted in open meetings of this City Council, and that all deliberations of this City Council and any of its committees that resulted in such formal actions were in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code and the Codified Ordinances of Napoleon Ohio.

Section 4. That, if any other prior Ordinance or Resolution is found to be in conflict with this Resolution, then the provisions of this Resolution shall prevail. Further, if any portion of this Resolution is found to be invalid for any reason, such decision shall not affect the validity of the remaining portions of this Resolution or any part thereof.


Section 5. That, this Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health or safety of the City and its inhabitants, and for the further reason that this legislation must be in effect at the earliest possible time so that the repairs can be timely made which affect the public

peace, health or safety accessible to our citizens; therefore, provided it receives the required number of votes for passage as emergency legislation, it shall be in full force and effect immediately upon its passage; otherwise, it shall be in full force and effect at the earliest time permitted by law.

Passed: February 2, 2015

  
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Travis B. Sheaffer, Council President

Approved: February 2, 2015

  
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Ronald A. Behm, Mayor

VOTE ON PASSAGE 7 Yea 0 Nay 0 Abstain

Attest:  
  
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Gregory J. Heath, Clerk/Finance Director

*I, Gregory J. Heath, Clerk/Finance Director of the City of Napoleon, do hereby certify that the foregoing Resolution No. 005-15 was duly published in the Northwest Signal, a newspaper of general circulation in said City, on the 14<sup>th</sup> day of February, 2015; & I further certify the compliance with rules established in Chapter 103 of the Codified Ordinances Of Napoleon Ohio and the laws of the State of Ohio pertaining to Public Meetings.*

  
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Gregory J. Heath, Clerk/Finance Director