

A RESOLUTION AUTHORIZING THE MAYOR AND DIRECTOR OF FINANCE TO ENTER INTO A CONTRACT WITH TRI MOR ROAD BUILDERS FOR CONDUIT AND UNDERGROUND INFRASTRUCTURE RELATED TO THE BURIAL OF OVERHEAD ELECTRIC LINES AS PART OF THE CENTER OF TOWN INFRASTRUCTURE IMPROVEMENTS PROJECT, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY

WHEREAS, Village Council authorized the Center of Town Infrastructure Improvements Project ("Project") in 2022 for the extension of Grant Street and to provide a new access drive to the existing library building; and

WHEREAS, as part of the 2023 capital budget, Council authorized a \$300,000.00 expenditure to bury overhead electric infrastructure underground along Grant Street and Broadview Road; and

WHEREAS, the Village Administration has been diligently working with First Energy to identify a suitable timetable for the burial of underground electric infrastructure in a manner that will minimize disruption to the electrical system; and

WHEREAS, First Energy has notified the Village of its intention to promptly, if not immediately, proceed with the burial of overhead lines; and

WHEREAS, First Energy recently notified the Village that it was the Village's responsibility to provide underground conduit and related connections to support First Energy's underground electric utilities; and

WHEREAS, First Energy recently provided design and materials specifications necessary for the underground conduit and related connections that support First Energy's underground electric utilities and which the Village is required to install in advance of the burial of overhead lines;

WHEREAS, until the Village received design and materials specifications from First Energy, it was impossible for the Village to properly plan, design, or order said conduit and related connections; and

WHEREAS, First Energy has limited availability to perform the burial of overhead lines during the 2023 construction season; and

WHEREAS, if the conduit and related connections required by First Energy are not installed when First Energy is ready to mobilize, then First Energy will be unable to perform the work and the burial of overhead lines will be delayed for an unknown duration of time; and

WHEREAS, vendors of the necessary conduit and underground connections will only hold their pricing for a period of ten (10) days; and

WHEREAS, no amount of additional planning by the Village could have protected against the current situation with respect to the underground conduit and related connections; and

WHEREAS, if the Village does not act immediately to order the underground conduit and related connections, it is likely to result in a significant increase in the expenditure of public funds to acquire the conduit and related connections later, and will materially delay First Energy's burial of electric lines; and

WHEREAS, to address the urgency of the Project, the Village administration has asked Council to waive competitive bidding and award a contract to the lowest responsive bidder for the work, Tri Mor Road Builders in an amount not to exceed \$139,347.00 to install the conduit and underground connections,

NOW, THEREFORE, BE IT RESOLVED, by the Council of the Village of Richfield, County of Summit, State of Ohio that:

SECTION 1. The Mayor and the Director of Finance are authorized and directed to enter into an agreement with Tri Mor Road Builders in an amount not to exceed \$139,347.00.

SECTION 2. This contract constitutes an emergency purchase as contemplated in Section 141.03(f)(5) of the Village's Codified Ordinances, and as such, the requirements of competitive bidding are waived pursuant to Section 141.03(g) of the Village's Codified Ordinances.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted 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.

SECTION 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to acquire and install the necessary conduit and underground connections; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

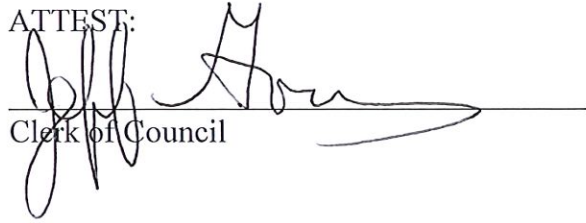
PASSED: 4-18-23


President of Council


Mayor

Dated: 4-18-23

ATTEST:


Clerk of Council

