

ORDINANCE NO. 17 - 21

AN ORDINANCE AUTHORIZING AND DIRECTING THE DIRECTOR OF SAFETY AND SERVICE TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE CONSTRUCTION OF THE WATERFRONT WALKWAY PROJECT AND TO ADVERTISE FOR QUALIFICATIONS AND AND ENTER INTO A CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES FOR THE PROJECT, AND DECLARING AN EMERGENCY

WHEREAS, the National Transportation Act has made available certain Federal funding for use by local public agencies. The Federal Highway Administration designated ODOT as the agency in Ohio to administer FHWA's Federal funding programs.

WHEREAS, Section 5501.03 (D) of the Ohio Revised Code provides that ODOT may coordinate its activities and enter into contracts with other appropriate public authorities to administer the design, qualification of bidders, competitive bid letting, construction, inspection, and acceptance of any projects administered by ODOT, provided the administration of such projects is performed in accordance with all applicable Federal and State laws and regulations with oversight by ODOT; and

WHEREAS, the transportation alternatives funded project to construct a sheet pile wall to enable construction of a 10'-12 promenade along the Portage River jetty into Lake Erie is a transportation activity eligible to receive Federal funding; and

WHEREAS, the Safety Service Director entered into a LPA Federal-Let Project Agreement from ODOT for financial assistance in the construction of the Waterfront Walkway Project and the responsibilities and obligations of each of the parties to the Agreement; and

WHEREAS, this Council finds and determines that the City should proceed with this project at the earliest possible time.

NOW THEREFORE, BE IT ORDAINED by the Council of the City of Port Clinton, County of Ottawa and State of Ohio:

**Section 1.** The Director of Safety and Service is hereby authorized and directed to advertise for bids and enter into contracts for the construction of the Waterfront Walkway Project in accordance with the approved plans and specifications on file in his office.

**Section 2.** The Director of Safety and Service is hereby authorized and directed to advertise for requests for qualifications, rate such qualifications, and negotiate and enter into a contract for construction management services for the Waterfront Walkway Project.

**Section 3.** The funds necessary to complete this project are hereby appropriated from the General Fund.

**Section 4.** This Council finds and determines that all formal actions of this Council and any of its Committees concerning and relating to the passage of this Ordinance were taken in an open meeting of this Council or Committees, and that all deliberations of this Council, and any of its committees, that resulted in those actions were in meetings open to the public, in compliance with the law.

**Section 5.** This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that this Ordinance is required to be immediately effective in order to allow the City to advertise for qualifications for construction management services and to advertise for bids for the construction of this project at the earliest possible time and to take advantage of lower costs of construction for the use of the grant funding received for this project; wherefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Passed: \_\_\_\_\_, 2021

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

Attest: \_\_\_\_\_  
Clerk of Council

Approved \_\_\_\_\_, 2021

\_\_\_\_\_  
Mayor