

**ORDINANCE NO. 2015-13**

**AN ORDINANCE  
AUTHORIZING THE MAYOR TO ENTER INTO AN  
AGREEMENT WITH SCHIRMER CONSTRUCTION, LLC,  
FOR THE DESIGN AND CONSTRUCTION OF THE  
METCALF ROAD RETAINING WALL PROJECT, AND  
DECLARING AN EMERGENCY.**

WHEREAS, the Village advertised for design/build proposals for the Metcalf Road Retaining Wall Project and received such proposals on September 16, 2015, at which time the proposals were opened and read; and

WHEREAS, Schirmer Construction, LLC, submitted a proposal for such design/build services and the Village Engineer has recommended that said proposal should be accepted for the project; and

WHEREAS, based upon the Village Engineer's recommendation, this Council finds and determines that Schirmer Construction, LLC, has submitted the best design/build proposal for the Metcalf Road Retaining Wall Project; and

WHEREAS, this Council desires to authorize the Mayor to execute an agreement with Schirmer Construction, LLC for the Metcalf Road Retaining Wall Project, in accordance with the terms and conditions set forth in the contract documents, in an amount not to exceed \$227,905.00.

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF WAITE HILL, LAKE COUNTY, STATE OF OHIO:**

SECTION 1. That the Mayor be and is hereby authorized and directed to enter into an agreement with Schirmer Construction, LLC for the provision of the necessary services required for the Metcalf Road Retaining Wall Project, in accordance with the contract documents for said Project, and in an amount not to exceed \$227,905.00. A copy of the agreement shall be maintained in the office of the Clerk-Treasurer. The Mayor may execute such further documentation and perform such additional actions as may be necessary to accomplish the purpose of the agreement.

SECTION 2. That actions of this Council concerning and relating to the passage of this legislation 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 held in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the Village of Waite Hill.

SECTION 3. That the ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare and safety of the Municipality and its inhabitants for the reason that this Ordinance must be immediately effective so that the Village may commence the Metcalf Road Retaining Wall Project during this construction season; wherefore, this ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: \_\_\_\_\_, 2015

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

Submitted to the Mayor for  
his approval on this  
\_\_\_\_\_ day of \_\_\_\_\_, 2015

Approved by the Mayor

\_\_\_\_\_, 2015

ATTEST:

\_\_\_\_\_  
Clerk-Treasurer

\_\_\_\_\_  
Mayor