

CITY OF CHEVIOT  
STATE OF OHIO

ORDINANCE NO. 23-08

TO ACCEPT THE BID OF RACK & BALLAUER EXCAVATING CO. INC. FOR APPLGATE AVENUE RECONSTRUCTION PROJECT; AND TO DECLARE AN EMERGENCY.

WHEREAS, on February 7, 2023, by Resolution 23-03, this Council authorized the Safety-Service Director to solicit bids for the Applegate Avenue Reconstruction Project; and

WHEREAS, in response to his advertisement, four such bids were submitted to the City; and

WHEREAS, the lowest and best bid was the base bid submitted by Rack & Ballauer Excavating Co. Inc.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CHEVIOT, STATE OF OHIO, TWO-THIRDS OF ALL MEMBERS THEREOF CONCURRING, THAT:

Section 1. This Council hereby accepts the base bid of \$456,493.60 submitted by Rack & Ballauer Excavating Co. Inc. for the Applegate Avenue Reconstruction Project. The accepted bid shall be in accordance with the specifications on file in the office of the Safety-Service Director.

Section 2. In the event of unforeseen extra work which might be required, the Safety-Service Director shall not approve any such work which exceeds 10% of the project base cost without first receiving the authorization of this Council.

Section 3. The Safety-Service Director is authorized and directed to enter into the necessary contracts with Rack & Ballauer Excavating Co. Inc. in order to carry out the work covered by this bid.

Section 4. This ordinance shall be an emergency measure for the health, safety, and welfare of the citizens of Cheviot and shall take effect immediately. The emergency is necessary in order to keep the City's ~~buildings~~ <sup>streets</sup> in the safest possible condition.



Kerry Smyth  
President of Council

3/7/23

Date passed

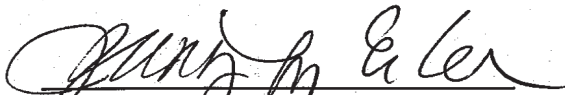


Samuel D. Keller  
Mayor

3/7/23

Date approved

Attest:



Jenny M. Eilermann  
Clerk of Council

Approved as to form:

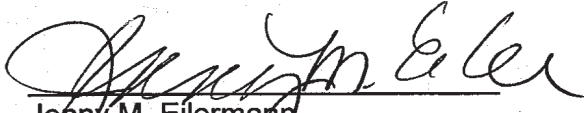


Kimberlee Erdman Rohr  
Law Director

CERTIFICATE OF PUBLICATION

I, Jenny M. Eilermann, Clerk of the Council of the City of Cheviot, Ohio, hereby certify that the foregoing ordinance, or a succinct summary, was published in the *Cincinnati Court Index*, a newspaper of general circulation in the City of Cheviot, Ohio, in accordance with Section 731.21 of the Ohio Revised Code, on the following dates:

- 1) 3-10, 2023, and
- 2) 3-17, 2023.

  
Jenny M. Eilermann  
Clerk of Council