

**ORDINANCE NO. 20-2023**

**AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO AWARD THE CONTRACT FOR THE E. BIGELOW AVENUE PARKING LOT PROJECT TO BYRNE & JONES CONSTRUCTION AND DECLARING AN EMERGENCY**

**WHEREAS**, the Village of Plain City Council has adopted the 2023 Village of Plain City operating budget and capital improvement plan; and

**WHEREAS**, the E. Bigelow Avenue Parking Lot Project is included in the 2023 budget; and

**WHEREAS**, in accordance with R.C. 735.05, the Village advertised the project for not less than two nor more than four consecutive weeks in a newspaper of general circulation within the Village; and

**WHEREAS**, having reviewed each bid, the Village's engineer has identified the bid from Byrne & Jones Construction as the best, lowest, and responsible bid and recommends it be accepted; and

**WHEREAS**, the Village Administrator concurs with the Village engineer's assessment and now seeks authority of the Village Council to award the bid to Byrne & Jones Construction in an amount not to exceed \$563,316.69; and

**WHEREAS**, the Village Administrator requests authority, consistent with industry standards, of the Village Council to approve, without the necessity of further Council action, change orders on the project not to exceed 10% of the bid.

**NOW THEREFORE BE IT ORDAINED** by the Council of the Village of Plain City, Ohio, a majority of the members elected or appointed thereto concurring, as follows:

**Section 1.** The Village Administrator is hereby authorized and directed to accept the bid of and execute an agreement with Byrne & Jones Construction for the E. Bigelow Avenue Parking Lot Project in an amount not to exceed \$563,316.69.

**Section 2.** The Village Administrator is hereby authorized to approve requested change orders on this project not to exceed 10% of the total bid without the need of further approval of Council.

**Section 3.** The Village Director of Finance is authorized and directed to take all action necessary to appropriate and disburse funds in accordance with the contract.

**Section 4.** It is found that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council that resulted in this 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 5.** This Ordinance shall be effective from and after the earliest period provided by law.

Passed: September 11, 2023.

Attest: Austin Rucinski  
Clerk of Council

Joely Caruly  
Mayor

First reading: August 28, 2023.

Vote: \_\_\_ yea \_\_\_ nay \_\_\_ abstain

Second reading: September 11, 2023.

Vote: 6 yea \_\_\_ nay \_\_\_ abstain

### Certificate of Publication

The undersigned, being Clerk of Council of the Village of Plain City, hereby certifies that the foregoing was published by posting for 15 days as required by law and in accordance with Section 4.15 of the Codified Ordinances. The posting was done from September 12, 2023 to September 27, 2023 at the Office of the Clerk of Council located at 800 Village Boulevard; all being in the Village of Plain City, Ohio and the Village of Plain City Website at [www.plain-city.com](http://www.plain-city.com).

Date: September 12, 2023

Austin Rucinski  
Clerk of Council