

ORDINANCE NO. \_\_\_\_\_

**AN ORDINANCE AUTHORIZING A CONTRACT FOR THE CONSTRUCTION OF A MULTI-USE PATH AT BRONSON PARK AND DECLARING AN EMERGENCY**

**WHEREAS**, Council directed the City Administration to apply for State of Ohio Capital Appropriations funding for a multi-use path, also known as a shared use path, at Bronson Park in Ordinance No. 8300 on April 13, 2021; and,

**WHEREAS**, Council desires to construct a multi-use path through Bronson Park that is compliant with the Americans with Disabilities Act of 1990 ("ADA"); and,

**WHEREAS**, the City Engineer solicited bids to construct the multi-use path and Baker Shindler Company of Defiance, OH submitted the lowest and best bid in the amount of \$162,974.00; and,

**WHEREAS**, Council finds that the construction of a multi-use path at Bronson Park promotes the Connectivity and Health and Wellness Pillars of the Defiance Community Strategic Plan by creating a pedestrian connection between the Bronson Park playground improvements and the Splash Park;

**Now therefore**, be it enacted by the Council of the Municipality of Defiance, Ohio, that:

**Section 1:** The City Administrator is directed to enter into a contract with Baker Shindler Company in the amount of \$162,974.00 for the construction of a multi-use path at Bronson Park according to the plans, specifications, terms, and conditions of performance of the accepted bid on September 7, 2021.

**Section 2:** The Finance Director shall pay the cost of the contract authorized by Section 1 from Line 403-901-52-920010 of the 2021 annual budget.

**Section 3:** It is found and determined that all legislative actions pertaining to the adoption of this Ordinance were taken in Public Session and that all deliberations that affected or influenced any such legislative act, including all deliberations in Committee, were conducted in Public Session or in Executive Session duly convened in accordance with law.

**Section 4:** This Ordinance is declared to be an emergency measure necessary to preserve the health, safety, or welfare of the community for the reason that R.C. §153.12(A) requires the award of a contract within sixty days after the date on which the bids are opened or the delay invalidates the entire bid proceedings. As such, this Ordinance shall be effective immediately upon passage by an affirmative vote of not less than five (5) Members of Council and approval of the Mayor.

Passed: \_\_\_\_\_, 2021  
\_\_\_\_\_  
President of Council

Votes in Favor of Adoption: \_\_\_\_\_  
Votes Opposed to Adoption: \_\_\_\_\_

Attest: \_\_\_\_\_, Clerk

Approved: \_\_\_\_\_, 2021  
\_\_\_\_\_  
Mayor