

**ORDINANCE NO. 40, 2018**

**AN ORDINANCE AUTHORIZING THE SERVICE DIRECTOR TO ENTER INTO A CONTRACT WITH FRED A. NEMANN CO. AND DECLARING AN EMERGENCY**

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF ST. BERNARD, STATE OF OHIO:**

**Section 1.** That the Council of the Village of St. Bernard finds it necessary and in the best interest of the Village to authorize the Service Director to enter into a contract with Fred A. Nemann Co. for furnishing all labor, materials and equipment necessary to complete the project known as Delmar Avenue Improvements.

**Section 2.** The Service Director is hereby directed and authorized to enter into the attached contract with Fred A. Nemann Co. in the amount of \$876,643.53. The project portion to be paid by the Greater Cincinnati Water Works is \$261,278.53. The project portion to be billed to the Village is \$615,365.00. Up to \$450,000 is to be paid for by a grant from the Ohio Public Works Commission. The additional amount up to \$300,000 will be paid by the Village and covers any overages and any necessary change orders.

**Section 3.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety. The reason for the emergency is to enter into this contract as soon as possible to complete the Delmar Avenue Improvement project. Therefore, this Ordinance shall take effect immediately by and upon its passage, and the approval of two-thirds of the members of said Council. However, this Ordinance shall take effect on the earliest date provided by law if approved by no more than a majority of the members of Council and in that event the emergency provisions herein are set at naught.

Passed this 13th day of December, 2018.

Steve Asbach  
President of Council

ATTEST: M. Sue Kathman  
Clerk of Council

Approved this 13th day of December, 2018.

John R. Estep  
Mayor

I, M. SUE KATHMAN, CLERK OF COUNCIL, VILLAGE OF ST. BERNARD, STATE OF OHIO, DO HEREBY testify that the publication of Ordinance No. 40, 2018, was made by posting true copies of the same in the most public places designated by Council: St. Bernard Square Bus Stop; Vine Street and Washington Avenue; Bertus Street Park; Greenlee Avenue and Johnson Alley; Park on Heger Drive; each for a period of fifteen (15) days or more commencing 12.13, 2018.

ATTEST: M. Sue Kathman DATE 12.13.18  
Clerk of Council



Approved as to form Michael A. Pelt Date 12.13.18  
Director of Law