

RESOLUTION NO. 05-2025
ADOPTED: APRIL 2, 2025

A RESOLUTION ACCEPTING THE BID OF WHARTON EXCAVATING LLC, AUTHORIZING AND DIRECTING THE MAYOR AND FISCAL OFFICER TO EXECUTE A CONTRACT WITH WHARTON EXCAVATING LLC FOR THE WWTP SURFACE SAND FILTER IMPROVEMENTS, AND DECLARING AN EMERGENCY

WHEREAS, with Ordinance 02-2025, adopted on February 5, 2025, Council for the Village of Kirkersville authorized the Mayor and Engineer to seek competitive bids to complete the surface sand filter improvements at the Wastewater Treatment Plant; and

WHEREAS, the Village received two bids; and

WHEREAS, Wharton Excavating LLC's bid (\$109,900.00) is under the Engineer's estimate and is acceptable. The Village Engineer contacted Wharton Excavating LLC's references and found them to be favorable; and

WHEREAS, Council for the Village of Kirkersville now wants to accept Wharton Excavating LLC's bid and award this contract.

NOW, **THEREFORE, BE IT RESOLVED** BY THE COUNCIL OF THE VILLAGE OF KIRKERSVILLE, OHIO THAT:

SECTION 1: Council for the Village of Kirkersville hereby accepts the bid of Wharton Excavating LLC to complete the Wastewater Treatment Plant Surface Sand Filter Improvements.

SECTION 2: Council for the Village of Kirkersville hereby authorizes and directs the Mayor and Fiscal Officer to execute a contract with Wharton Excavating LLC, to complete the Wastewater Treatment Plant Surface Sand Filter Improvements, in an amount not to exceed \$109,900.00.

SECTION 3: All prior legislation, or any parts thereof, which is/are inconsistent with this Resolution is/are hereby repealed as to the inconsistent parts thereof.

SECTION 4: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that any and all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements of the laws of the State of Ohio.

SECTION 5: This Resolution is hereby declared an emergency measure necessary for the health, safety, and welfare of the residents of the Village and for the further reason that the Village needs to accept this bid and begin this project as soon as possible.

Wherefore, provided this Resolution receives the required affirmative votes of Council, it shall take effect and be in full force immediately upon passage by Council.

Passed in Council this 2 day of April 2025.

Terry Ashcraft, Mayor

ATTEST: _____
Clerk of Council

APPROVED:

Approved as to form this 24th day of March 2025:



Brian M. Zets
Village Solicitor