

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF HAMILTON TO ENTER INTO A CONTRACT FOR SWIMMING POOL IMPROVEMENTS WITH STERLING CONSTRUCTION**

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BE IT ORDAINED BY THE BOARD OF ALDERMEN OF THE CITY OF HAMILTON, MISSOURI AS FOLLOWS TO WIT:

**SECTION 1:** The Mayor of the City of Hamilton, Missouri is hereby authorized on behalf of the City of Hamilton, Missouri, to enter into a construction contract in a form acceptable to the City Attorney for swimming pool improvements with Sterling Construction for a base bid of \$311,725.00 and alternate bid of \$14,000.00, for a total bid of \$325,725.00, and to do all acts the Mayor deems reasonably necessary to carry out the terms of such contract. The Board of Aldermen finds that the bid awarded is the lowest and best bid. The authority to enter in the contract is subject to the further approval of the City's engineer of such final contract documents.

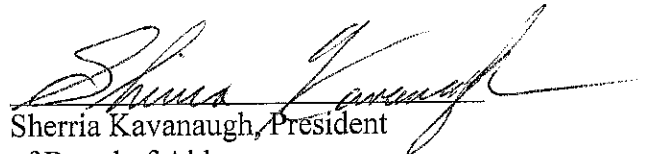
**SECTION 2:** This ordinance repeals any prior ordinance or parts of any prior ordinance that might be in conflict herewith.

**SECTION 3:** This ordinance shall be in full force and effect from and after the date of its passage and approval.


**SECTION 4:** That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Aldermen hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.


**SECTION 5:** The project approved by this Ordinance is subject to the requirements of Section 292.675, RSMo, which requires all contractors or subcontractors doing work on the Project to provide and require its on-site employees to complete, a ten (10) hour course in construction safety and health approved by the Occupational Safety and Health Administration ("OSHA") or a similar program approved by the Missouri Department of Labor and Industrial Relations which is at least as stringent as an approved OSHA Program. The training must be completed within sixty (60) days of the date work on the project commences. On-site employees found on the worksite without documentation of the required training shall have twenty (20) days to produce such documentation.

Read two times, passed and approved on the 2<sup>nd</sup> day of December, 2015.

  
Sherria Kavanaugh, President  
of Board of Aldermen

Approved on this 2<sup>nd</sup> day of December, 2015.

Attest:   
Debra Davis, City Clerk

  
Winford Gilliam, Mayor