

**ORDINANCE NO. 46-16**

**AN ORDINANCE TO AWARD THE BID FOR THE  
CHESTER ROAD RECONSTRUCTION PROJECT – "PROJECT K"  
AND DECLARING AN EMERGENCY**

**WHEREAS**, Council, pursuant to Resolution R-3-16, passed on March 14, 2016, advertised for bids for the construction of public improvements to Chester Road – (Project K); and

**WHEREAS**, City officials have determined that the following roadway section will be improved: Chester Road – starting at a point approximately 2,681 feet east of Center Road (S.R. 83) and then extending eastward approximately 3,502 linear feet through the Jaycox Road intersection. The project shall consist of the following components: Reconstruction, realignment and widening to produce a five lane wide roadway. The following components will be incorporated into the proposed project: Asphalt pavement cross-section, concrete curb and gutter, replacement of existing culverts, construction of storm sewer drainage system, partial replacement of existing water main, construction of a new water distribution system, replacement of existing sanitary sewers, construction of a new sanitary sewer system, asphalt pedestrian path, concrete sidewalk and curb ramps, driveway apron replacements, street lighting system, street trees, traffic signal upgrades at the Jaycox Road intersection, pavement markings, communication ducts, grading, erosion and sediment control, signage, maintenance of traffic, miscellaneous appurtenances and restoration; and

**WHEREAS**, public bids were opened and read aloud at noon on April 1, 2016 at Avon City Hall for the Chester Road Reconstruction Project – "Project K". The bids received are as follows:

Company	Bid
KMU Trucking & Excavating, Inc.	\$5,662,829.75
TRAX Construction Company	\$5,705,549.00
Fabrizi Trucking & Paving Co., Inc.	\$5,792,596.00
Precision Engineering & Contracting, Inc.	\$6,547,954.00

**WHEREAS**, the Engineer’s Estimate for the project was \$6,030,149.00 and the low bidder’s cost was 6.1% below that amount; and

**WHEREAS**, the City Engineer has reviewed each of the bids submitted and is recommending that the bid submitted by KMU Trucking & Excavating, Inc. be considered the lowest and best bid submitted for the Chester Road Reconstruction Project – "Project K"; and

**WHEREAS**, Council finds that it is in the best interest of the health, safety and welfare of the Community that the City proceed with awarding a construction contract to KMU Trucking & Excavating, Inc. in the amount of Five Million, Six Hundred Sixty Two Thousand Eight Hundred Twenty Nine Dollars and 75/100 Cents (\$5,662,829.75) for the Chester Road Reconstruction Project – "Project K".

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, COUNTY OF LORAIN AND STATE OF OHIO:**

Section 1 - That the bid submitted by KMU Trucking & Excavating, Inc. in the amount of Five Million, Six Hundred Sixty Two Thousand Eight Hundred Twenty Nine Dollars and 75/100 Cents (\$5,662,829.75) is declared the lowest and best bid received. Council hereby authorizes the Mayor to execute the construction contract with the KMU Trucking & Excavating, Inc. in said amount for the construction of the Chester Road Reconstruction Project – "Project K".

Payment in the amount of Five Million, Six Hundred Sixty Two Thousand Eight Hundred Twenty Nine Dollars and 75/100 Cents (\$5,662,829.75) shall be made from Bond Anticipatory Note Proceeds and deposited directly into the Chester Road Widening – Project K Fund No. 426. Further, the Finance Director is authorized to increase the appropriation by a reasonable amount for engineering and legal fees associated with this project.

Section 2- That it is found and determined that all formal actions of the Council of the City of Avon concerning and relating to the adoption of this Ordinance were taken in an open meeting of the Council of the City of Avon and that all deliberations of this City's Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 3- That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to undertake and substantially complete the Chester Road Reconstruction Project – "Project K" prior to the end of the 2016 construction season; therefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: \_\_\_\_\_ DATE SIGNED: \_\_\_\_\_

By: \_\_\_\_\_  
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: \_\_\_\_\_

\_\_\_\_\_  
Bryan K. Jensen, Mayor

Ordinance No. 46 -16 (Con't.)

APPROVED AS TO FORM:

\_\_\_\_\_  
John A. Gasior, Law Director

ATTEST:

\_\_\_\_\_  
Ellen R. Young  
Clerk of Council

Posted: \_\_\_\_\_  
In Five Places as  
Provided by Council

Prepared By:  
John A. Gasior, Esq.  
Law Director