

ORDINANCE NO. 79-16

**AN ORDINANCE TO AWARD THE BID FOR THE
2015 ASPHALT ROAD PROGRAM PHASE 2 – JAYCOX ROAD
WIDENING WITH ALL APPURTENANCES THERETO
AND DECLARING AN EMERGENCY**

WHEREAS, Council, pursuant to Resolution R-10-16, passed on May 9, 2016, advertised for bids for the construction of public improvements along Jaycox Road, known as the 2015 Asphalt Road Program Phase 2 - Jaycox Road Widening; and

WHEREAS, due to normal wear and tear as well as increased traffic, it is necessary for the City to repair, re-pave, widen and improve certain roads/streets within the municipality during the current construction season; and

WHEREAS, City officials have determined that the following roadway will be improved and/or reconstructed at the following location: Jaycox Road – starting at the northern extents of the Detroit Road & Jaycox Road Intersection and thence northward to Chester Road, excluding the bridge over I-90. The Phase 2 project shall consist of cold in-place pavement recycling, roadway widening, additional widening for northbound and southbound left turn movements at Middleton Road, asphalt pavement resurfacing, driveway rehabilitation, pavement marking, pavement drainage, signage, permanent lawn restoration and maintenance of traffic as detailed in plans and specifications prepared by the City Engineer and Chagrin Valley Engineering, Ltd.; and

WHEREAS, a previous Phase 1 project was constructed in 2015 along a similar portion of Jaycox Road and included storm sewer replacement, storm sewer installation, roadside ditch enclosure, right-of-way drainage, maintenance of traffic, temporary lawn restoration and appurtenances; and

WHEREAS, the public bids were opened and read aloud at noon on June 2, 2016 at Avon City Hall for the Jaycox Road Widening Project. The bids received are as follows:

| Company | Bid |
|---------------------------------|----------------|
| KMU Trucking & Excavating, Inc. | \$1,271,906.00 |
| Burton Scot Contractors, LLC | \$1,367,400.00 |

WHEREAS, the Engineer’s Estimate for the project was \$1,300,000.00. As such the bid submitted by KMU Trucking & Excavating Inc. is 2.2% below the Engineer’s Estimate. A copy of the bid tabulation is attached hereto as Exhibit A.

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 2015 Asphalt Road Program Phase 2 – Jaycox Road Widening.

WHEREAS, Council finds that it is in the best interest of the health, safety and welfare of the Community that the City of Avon go forward with awarding a construction contract to complete the 2015 Asphalt Road Program Phase 2 – Jaycox Road Widening as referenced above.

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 One Million, Two Hundred and Seventy One Thousand, Nine Hundred and Six Dollars and No Cents (\$1,271,906.00) is declared to be the lowest and best bid received. As such, Council hereby authorizes the Mayor to execute the construction contract with the KMU Trucking and Excavating Inc. in said amount for the 2015 Asphalt Road Program Phase 2 – Jaycox Road Widening Project. The Finance Director is hereby authorized to transfer said funds from the General Fund No. 101 to the Jaycox Road Improvement Fund No. 425. Payment in the amount of One Million, Two Hundred and Seventy One Thousand, Nine Hundred and Six Dollars and No Cents (\$1,271,906.00) shall be made from the Jaycox Road Improvement No. 425, pursuant to directives of the Finance Director. 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 Resolution 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 2015 Asphalt Road Program Phase 2 – Jaycox Road Widening Project prior to the end of the 2016 construction season; therefore, this resolution 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. 79-16 (Con't)

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara J. Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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