

ORDINANCE NO. 70-26

AN ORDINANCE TO APPROVE A CONSTRUCTION CONTRACT CHANGE ORDER FOR THE 2026 PAVEMENT RESURFACING PROGRAM FOR THE PERFORMANCE OF ASPHALT RESURFACING ON TRINITY COURT AND DECLARING AN EMERGENCY

WHEREAS, Avon City Council passed Ordinance No. 63-26 on June 1, 2026, which authorized the award of a construction contract in the amount of \$1,029,409.00 to Specialized Construction, Inc. for the 2026 Pavement Resurfacing Program; and

WHEREAS, due primarily to normal wear and tear, the Avon Service Department has deemed it necessary to repair and resurface the asphalt and gravel pavements along Trinity Court, during the 2026 construction season; and

WHEREAS, the City Engineer has consulted with Specialized Construction, Inc. and verified that said company is willing to undertake the Trinity Court asphalt resurfacing work, as depicted on Exhibit A, under the same contract specifications and at the same unit prices as is part of its current contract for the 2026 Pavement Resurfacing Program; and

WHEREAS, the City Engineer has formulated an estimate of additional cost, based on the previously established contract unit rates, to perform the additional work on Trinity Court which totals to an estimated \$108,463.00, as shown on the attached [Exhibit B](#); and

WHEREAS, the revised contract amount for the 2026 Pavement Resurfacing Program would increase from \$1,029,409.00 to \$1,137,872.00; and

WHEREAS, Council finds that it is in the best interest of the health, safety, and welfare of the Community that the City amend the construction contract with Specialized Construction, Inc. and approve the Change Order for the 2026 Pavement Resurfacing Program increasing the contract amount from \$1,029,409.00 to \$1,137,872.00 to include the repairing and asphalt resurfacing of the existing asphalt and gravel surfaces of Trinity Court as detailed on the attached Exhibit A and as directed by the City Engineer.

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

Section 1 – The City Administration is recommending that certain areas of Trinity Court, as detailed on the attached [Exhibit A](#), be improved as described herein and as directed by the City Engineer. Such work shall be undertaken by way of a Change Order amending the contract documents for the 2026 Pavement Resurfacing Program and increasing the total contract amount from \$1,029,409.00 to \$1,137,872.00.

Section 2 – That Council authorizes the Change Order as set forth in Section 1 and authorizes the Finance Director to reappropriate the funds required to meet the financial obligation of this Change Order from the 2026 Road Program Fund No. 425.

Section 3- 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 4- 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 include additional work associated with Trinity Court into the 2026 Pavement Resurfacing Program during the 2026 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: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks, Clerk of Council

POSTED: _____
Electronically and at City Hall
Provided by Council

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