

ORDINANCE NO. 83-26

**AN ORDINANCE TO APPROVE A CONSTRUCTION CONTRACT
CHANGE ORDER FOR THE MILLS ROAD RESURFACING PROJECT FOR THE
PERFORMANCE OF ADDITIONAL ASPHALT RESURFACING WORK WITHIN THE
CITY OF NORTH RIDGEVILLE MAINTENANCE AREA
AND DECLARING AN EMERGENCY**

WHEREAS, Avon City Council passed Resolution No. R-13-26 on July 13, 2026, which authorized the Clerk of Council to advertise for public bids for the Mills Road Resurfacing Project; and

WHEREAS, pursuant to said Resolution, public bids for the Mills Road Resurfacing Project were received and opened on July 30, 2026, and Avon City Council thereafter passed Ordinance No. 82-26 on August 3, 2026, which awarded a construction contract for the Mills Road Resurfacing Project to Specialized Construction, Inc. in the amount of \$1,089,651.30, with said contract entered into between the parties on August 21, 2026; and

WHEREAS, the City of Avon and the City of North Ridgeville previously entered into a Cooperative Agreement, authorized by Avon Ordinance No. 75-26, for the joint asphalt resurfacing of Mills Road from Stoney Ridge Road to the Westlake municipal boundary, with the City of Avon acting as Lead Agent for the Mills Road Resurfacing Project; and

WHEREAS, the City Engineer has identified the need to add an additional work area to the Mills Road Resurfacing Project consisting of asphalt resurfacing within the City of North Ridgeville's maintenance area, from Stoney Ridge Road to Jaycox Road, including the north and south legs of the State Route 83 & Mills Road Roundabout, all as more fully described in Change Order No. 1 for the Mills Road Resurfacing Project prepared by Chagrin Valley Engineering, Ltd. (CVE Project No. 26255), dated August 28, 2026, a copy of which is attached hereto as Exhibit A; and

WHEREAS, the City Engineer has consulted with Specialized Construction, Inc. and verified that said company is willing to undertake the additional resurfacing work within the North Ridgeville maintenance area, as depicted on the attached [Exhibit A](#), under the same contract specifications and unit prices, and where applicable the newly proposed unit prices, set forth in its current contract for the Mills Road Resurfacing Project, except as noted in Exhibit A; and

WHEREAS, the City of North Ridgeville has secured Ohio Public Works Commission (OPWC) funding in an amount not to exceed \$510,000.00 to be applied toward the rehabilitation of Mills Road from Stoney Ridge Road to State Route 83; and

WHEREAS, the City Engineer has formulated an estimate of additional cost, based on the contract unit rates and the newly proposed unit prices set forth in Change Order No. 1, to perform the additional work described therein, which totals an estimated \$1,072,824.70 as calculated on the attached Exhibit A; and

WHEREAS, the revised contract amount for the Mills Road Resurfacing Project would increase from \$1,089,651.30 to \$2,162,476.00 upon acceptance of the proposed change order; 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. via the approval of Change Order No. 1 for the Mills Road Resurfacing Project to increase the contract amount from \$1,089,651.30 to \$2,162,476.00 so as to include the additional asphalt resurfacing work within the North Ridgeville maintenance area 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 – That Council hereby authorizes the Mayor to execute Change Order No. 1 to amend the construction contract with Specialized Construction, Inc. for the Mills Road Resurfacing Project thereby increasing the total contract amount from \$1,089,651.30 to \$2,162,476.00. The City Administration, in cooperation with the city of North Ridgeville, is recommending that the additional work within the City of North Ridgeville's maintenance area be performed under this contract Change Order No. 1. The total cost of the project is based on the unit prices established in the earlier public bid submitted by Specialized Construction and by the newly proposed unit prices set forth in Change Order No. 1, as detailed on the attached Exhibit A, which is incorporated herein by this reference. be added to the Mills Road Resurfacing Project as described herein and as directed by the City Engineer.

Section 2 – The City of Avon and the City of North Ridgeville previously entered into a Cooperative Agreement, authorized by Avon Ordinance No. 75-26, with the City of North Ridgeville securing Ohio Public Works Commission (OPWC) funding in an amount not to exceed \$510,000.00 to be applied toward this rehabilitation project (Mills Road from Stoney Ridge Road to State Route 83).

Section 3- The Finance Director is hereby authorized to reappropriate the funds required to meet the financial obligation of this Change Order.

Section 4- 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 5- 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 the additional work associated with the North Ridgeville maintenance area into the Mills Road Resurfacing Project 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 as
Provided by Council

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