

ORDINANCE NO. 24-16

**AN ORDINANCE TO AWARD THE BID FOR THE CONSTRUCTION OF
THE CHESTER ROAD WIDENING AT S.R. 83 PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, Council, pursuant to Resolution R-1-16, passed on January 19, 2016, advertised for bids for the construction of public improvements along Chester Road, known as the Chester Road Widening At S.R. 83 Project; and

WHEREAS, the project shall consist of widening Chester Road beginning at Center Road (S.R. 83) and then extending east approximately 1,325 linear feet to the eastern line of Chester Road Square and include the following components: widening of both the North and South roadway for a five (5) lane wide asphalt pavement cross-section with concrete curb and gutter, reconstruction of portions of existing storm sewer system, replacement of portions of existing water main, asphalt pedestrian path, concrete sidewalk and curb ramps, driveway apron replacements, traffic signal upgrades at the Center Road and the Walmart Drive intersections, pavement markings, signage, maintenance of traffic, miscellaneous appurtenances and restoration; and

WHEREAS, the public bids were opened and read aloud at noon on February 5, 2016 at Avon City Hall for the Chester Road Widening at S.R. 83 Project. The bids received for are as follows:

Company	Bid
KMU Trucking & Excavating, Inc.	\$1,811,397.06
Fabrizi Trucking & Paving Co., Inc.	\$1,823,730.00
Mr. Excavator, Inc.	\$1,841,434.80
Eclipse Company, LLC	\$2,055,202.50

WHEREAS, the City Engineer has reviewed each of the bids submitted and made note of the following: the bid supplied by KMU Trucking & Excavating, Inc. was deemed incomplete in that the unit prices for six bid items, a listing of references and a listing of equipment were not supplied as required in its bid package; the second low bid provided by Fabrizi Trucking & Paving Co., Inc. was deemed complete at the time of submittal. As such, it is the recommendation of the City Engineer that the bid submitted by Fabrizi Trucking & Paving Co., Inc. be considered the lowest and best bid submitted for the Chester Road Widening at S.R. 83 Project; and

WHEREAS, the Engineer's Estimate for the cost of construction was \$1,675,000.00 and the low bidder's cost was less than ten percent (8.9%) over that amount; 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 Fabrizi Trucking & Paving Co., Inc. in the amount of \$1,823,730.00 for the Chester Road Widening at S.R. 83 Project.

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 Fabrizi Trucking & Paving Co., Inc. in the amount of One Million, Eight Hundred and Twenty-Three Thousand, Seven Hundred and Thirty Dollars and No Cents (\$1,823,730.00) is declared to be the lowest and best bid received. As such, Council hereby authorizes the Mayor to execute the construction contract with the Fabrizi Trucking & Paving Co., Inc. in said amount for the construction of the Chester Road Widening at S.R. 83 Project.

Payment in the amount of One Million, Eight Hundred and Twenty-Three Thousand, Seven Hundred and Thirty Dollars and No Cents (\$1,823,730.00) shall be made from funds transferred from the Chester Road Widening – Project K Fund No. 426 to the Chester Road Widening – Walmart Fund No. 480. 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 complete the Chester Road Widening at S.R. 83 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. 24 -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