

ORDINANCE NO. 62-18

AN ORDINANCE TO INCREASE THE CONSTRUCTION CONTRACT AMOUNT WITH PRECISION PAVING INC. FOR THE LILAC LANE, VIOLET COURT & PERIWINKLE WAY PAVEMENT RESURFACING PROJECT AND DECLARING AN EMERGENCY

WHEREAS, due primarily to normal wear and tear, it was deemed necessary for the City to repair, and improve Lilac Lane, Violet Court & Periwinkle Way at certain locations during the 2018 construction season; and

WHEREAS, City officials determined that these roadways would be improved where recommended by the City Engineer in the following locations: Lilac Lane asphalt resurfacing will be approximately 875 feet beginning at the Lilac Lane cul-de-sac extending east to the Garden Drive intersection; Violet Court asphalt resurfacing will be approximately 825 feet along Violet Court beginning at Lilac Lane and extending south to Primrose Lane; Periwinkle Way asphalt resurfacing will be approximately 450 feet from Primrose Lane and extending west and south to the Periwinkle Way cul-de-sac; and

WHEREAS, the project consisted of the following: grinding away of an existing asphalt surface to expose an existing concrete pavement layer; performance of concrete base and joint repairs where identified by the City Engineer; placement of a gravel chip seal layer; and then resurfacing with two courses of asphalt concrete pavements. Sidewalk, curb ramp and catch basin repairs will also be performed at intermittent locations along with reinstallation of impacted pavement markings, maintenance of traffic, and associated lawn restoration; and

WHEREAS, City Council passed Ordinance 32-18 on April 23, 2018 which awarded a construction contract to Precision Paving, Inc. in the amount of \$497,657.50 for the work associated with the base bid as well as two bid alternates; and

WHEREAS, upon the commencement of construction and removal of the top pavement layers, the City Engineer, in conjunction with the Avon Superintendent of Streets, noted significant amounts of full depth joint failures of the underlying concrete pavements; and

WHEREAS, the City Engineer, in conjunction with the Avon Superintendent of Streets, determined that non-performance of joint repairs or performance of partial depth joint repairs were not viable options to support the long-term suitability of the roadway in a significantly greater ratio than anticipated in the awarded construction contract; and

WHEREAS, the City Engineer has quantified the work completed through completion of the base repairs, placement of chip seal and placement of the new intermediate base repairs to determine that construction contract with Precision Paving, Inc. must be modified from \$497,657.50 to \$651,318.63 to account for the cost of additional work as detailed in Exhibit A, attached; and

WHEREAS, Council finds that it is in the best interest of the health, safety and welfare of the Community for the City of Avon to modify the construction contract with Precision Paving,

Inc. in order to properly complete the Lilac Lane, Violet Court & Periwinkle Way Pavement Resurfacing Project 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 a construction contract with Precision Paving, Inc., which was awarded for the Lilac Lane, Violet Court & Periwinkle Way Pavement Resurfacing Project on April 23, 2018 be and the same is hereby modified as set forth in Exhibit A, which is attached hereto and incorporated herein by this reference.

Section 2 - That Council hereby authorizes payment for the modification of the construction contract amount with Precision Paving, Inc. from the original amount of \$497,657.50 as set forth in Ord. No. 32-18 to \$651,318.63. The Finance Director is hereby authorized to make the additional payment in said amount from the 2018 Road Program Fund No. 407 pursuant to the contract modification set forth herein. In addition, the Finance Director is authorized to increase this appropriation by a reasonable amount for engineering and legal fees associated with this project.

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 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 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 modify the contract as set forth herein to complete the Lilac Lane, Violet Court & Periwinkle Way Pavement Resurfacing Project with both Alternates prior to the end of the 2018 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

APPROVED AS TO FORM:

John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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