

**ORDINANCE NO. 29-23**

**AN ORDINANCE TO AWARD THE BID FOR THE 2023 AVON PARKS MOWING CONTRACT NO. 4 (VETERAN’S MEMORIAL PARK ONLY AND ITS ENTRANCE WAY UP TO DETROIT ROAD) AND DECLARING AN EMERGENCY**

**WHEREAS**, the Service Department desired to engage a qualified, dependable and conscientious contractor to perform routine lawnmowing and landscape maintenance activities at various city owned/maintained public open spaces and parks throughout the community; and

**WHEREAS**, in 2022, the Avon Service Director and Street Superintendent recommended grouping the public mowing contracts into smaller, separate contracts to allow for more contractors to bid on each project and thereby achieve more competitive pricing, better quality and more responsiveness; and

**WHEREAS**, with the overall success achieved through the 2022 bidding process, the same format was utilized for 2023 with plans and specifications developed by the City Engineer and Chagrin Valley Engineering, Ltd.; and

**WHEREAS**, Avon City Council passed Resolution R-10-23 on January 23, 2023 which authorized the public bid for said project known as the Avon Parks Mowing Contract No. 4 consisting of only Veteran’s Memorial Park and its entrance way up to Detroit Road; and

**WHEREAS**, the public bids were opened and read aloud at noon on February 15, 2023 at Avon City Hall. The responsive bids received are as follows:

<b>Company</b>	<b>Bid</b>
Brightview Landscape Services	\$67,583.81
ESK Landscaping LLC	\$51,000.00
VLP Landscaping	\$183,605.40
Brian Kyles	\$52,618.51

**WHEREAS**, the Engineer’s Estimate for the project was \$59,400.00 and the low bidder’s bid was below that amount. A copy of the bid tabulation is attached hereto as [Exhibit A](#); and

**WHEREAS**, the Avon Service Director and Street Superintendent has reviewed each of the bids submitted and is recommending that the bid submitted by ESK Landscaping LLC to be considered the lowest and best bid; and

**WHEREAS**, Council finds that it is in the best interest of the health, safety and welfare of the community that the City Administration go forward with the awarding of a mowing contract to ESK Landscaping LLC for the 2023 Avon Parks Mowing Contract No. 4 which consists of only Veteran’s Memorial Park and its entrance way up to Detroit Road.

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

Ordinance No. 29-23 (Con't)

Section 1 - That pursuant to bids received on February 15, 2023 at Avon City Hall for the Avon Parks Mowing Contract No. 4 (Veteran's Memorial Park and its entrance way up to Detroit Road), the bid submitted by ESK Landscaping LLC in the amount of Fifty-One Thousand and 00/100 Dollars (\$51,000.00) is declared to be the lowest and best bid. The Mayor is hereby authorized to execute the 2023 Avon Parks Mowing Contract No. 4 with that entity. The Finance Director is hereby authorized to make payments from the following fund: The Park Operating Fund, Fund No. 250 in the amount set forth herein

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 contract lawnmowing and landscape maintenance service for the 2023 season prior to the start of the growing 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