

**ORDINANCE NO. 74-23**

**AN ORDINANCE TO REJECT THE BIDS FOR THE  
2023 PAVEMENT MARKING PROGRAM  
AND DECLARING AN EMERGENCY**

**WHEREAS**, due primarily to normal wear, the City considered re-applying various traffic control lane/pavement markings throughout the community in 2023; and

**WHEREAS**, City Council, pursuant to Resolution R-20-23, passed on March 27, 2023, advertised for public bids for the 2023 City of Avon Pavement Marking Program to be performed at locations throughout the city; and

**WHEREAS**, the public bids were opened and read aloud at noon on April 13, 2023 at Avon City Hall and the following bid was received:

Contractor	Bid Total
JD Striping & Services, Inc.	\$233,510.20

**WHEREAS**, the Engineer's Estimated cost for the project was set at \$215,390.90. As such, the bid submitted by JD Striping & Services, Inc. is 8.4% greater than the Engineer's Estimate. A copy of the bid tabulation is attached hereto as Exhibit A; and

**WHEREAS**, due to the receipt of only one bid and because that single bid was significantly over the Engineer's estimated cost for the project, the City Engineer is recommending that it is in the best interest of the health, safety and welfare of the community that said bid from JD Striping & Services, Inc. be rejected.

**WHEREAS**, Council finds that it is in the best interest of the health, safety and welfare of the community that the City reject the bid for the 2023 Pavement Marking Program received on April 13, 2023.

**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 JD Striping & Services, Inc. which was authorized by Resolution R-20-23 and read aloud on April 13, 2023, is hereby rejected upon the recommendation of the City Engineer as only a single bid was received, and it exceeded the Engineer's Estimate by a significant amount.

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.

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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 reject the bid for the 2023 Pavement Marking Program so that other options can be considered during the 2023 construction season; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: June 12, 2023 DATE SIGNED: June 12, 2023

By: Brian Fischer  
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: June 13, 2023

[Signature]  
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior  
John A. Gasior, Law Director

ATTEST:

Barbara Brooks  
Barbara Brooks, Clerk of Council

Posted: June 14, 2023  
Electronically and at City Hall as  
Provided by Council

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

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 74-23, passed by the Council of said City on June 12, 2023.

IN WITNESS WHEREOF, I have on this 13th day of June, 2023, affixed my signature and official seal.

Barbara J. Brooks  
Barbara J. Brooks, Clerk of the Council  
of the City of Avon, Ohio

## EXHIBIT A TO ORDINANCE NO. 74-23

## EXHIBIT A

**BID TABULATION**  
**2023 AVON PAVEMENT MARKING PROGRAM**  
**City of Avon**

DATE: April 13, 2023

CVE JOB NO. 23116 Engineer's Estimate \$215,390.90

				JD STRIPING & SERVICES, INC.	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE
1	EDGE LINE, 4", TYPE 1 (SOLID, WHITE)	MILE	67.47	\$430.00	\$29,012.10
2	EDGE LINE, 4", TYPE 1 (SOLID, YELLOW)	MILE	0.65	\$460.00	\$299.00
3	LANE LINE, 4", TYPE 1 (BROKEN, WHITE)	MILE	6.53	\$330.00	\$2,154.90
4	CENTER LINE, TYPE 1 (SOLID, YELLOW)	MILE	42.68	\$925.00	\$39,479.00
5	CENTER LINE, TYPE 1 (BROKEN, YELLOW)	MILE	3.39	\$925.00	\$3,135.75
6	CHANNELIZING LINE, 8", TYPE 1 (SOLID, WHITE)	LF	41,994	\$0.50	\$20,997.00
7	STOP LINE, TYPE 1 (SOLID, WHITE)	LF	6,659	\$2.05	\$13,650.95
8	CROSSWALK LINE, TYPE 1 (SOLID, WHITE)	LF	23,378	\$1.75	\$40,911.50
9	TRANSVERSE/DIAGONAL LINE, TYPE 1 (SOLID, WHITE)	LF	1,219	\$2.00	\$2,438.00
10	TRANSVERSE/DIAGONAL LINE, TYPE 1 (SOLID, YELLOW)	LF	10,916	\$2.00	\$21,832.00
11	DOTTED LINE, 4", TYPE 1 (LANE LINE)	LF	1,930	\$2.00	\$3,860.00
12	LANE ARROW, TYPE 1 (WHITE)	EACH	704	\$45.00	\$31,680.00
13	RAILROAD SYMBOL MARKING, TYPE 1 (WHITE)	EACH	7	\$250.00	\$1,750.00
14	SCHOOL SYMBOL MARKING, 72", TYPE 1 (WHITE)	EACH	16	\$250.00	\$4,000.00
15	WORD ON PAVEMENT, 72", TYPE 1 (WHITE)	EACH	46	\$60.00	\$2,760.00
16	CHEVRON MARKING, TYPE 1 (WHITE)	LF	400	\$2.00	\$800.00
17	ISLAND MARKING, TYPE 1 (YELLOW)	SF	835	\$2.00	\$1,670.00
18	BICYCLE LANE SYMBOL MARKING, TYPE 1 (WHITE)	EACH	10	\$90.00	\$900.00
19	YIELD LINE, TYPE 1 (WHITE TRIANGLES)	LF	28	\$35.00	\$980.00
20	DO NOT BLOCK INTERSECTION MARKING, TYPE 1 (WHITE)	EACH	3	\$400.00	\$1,200.00
21	GENERAL CONSTRUCTION CONTINGENCY ALLOWANCE	LUMP	1	\$10,000.00	\$10,000.00
<b>TOTAL PROJECT COST</b>				<b>TOTAL</b>	<b>\$233,510.20</b>
				NUMBER OF DAYS TO COMPLETE: 25 days	
				EARLIEST STARTING DATE: Work with City	

2023 Avon Pavement Marking Program  
City of Avon  
Job #23116