

ORDINANCE NO. 11-24

**AN ORDINANCE TO AWARD A BID AND ENTER INTO A JOINT CONSTRUCTION
PROJECT WITH AVON LAKE REGIONAL WATER FOR THE MILLER
ROAD WATER MAIN IMPROVEMENT PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, the Utility Department seeks to improve the efficiency and consistency of the public water distribution system while reducing overall raw water supply costs; and

WHEREAS, the recently upgraded Miller Road Water Distribution Booster Pump Station provides an opportunity to supply a larger percentage of Avon's water demand with lower unit cost supply water via its direct connection to the Avon Lake Regional Water (ALRW) System along Miller Road; and

WHEREAS, in order to obtain a larger utilization of lower cost supply water from the ALRW system via the Miller Road direct connection, it is necessary to make physical improvements including the removal of the existing 6-inch diameter water main which flows under the Norfolk & Southern Railroad at the Avon & Avon Lake municipal boundary and replace it with a proposed 12-inch diameter water main to be bored under said railroad tracks and appropriately connected to the ALRW system within the City of Avon Lake; and

WHEREAS, the City Engineer worked in conjunction with Chagrin Valley Engineering, Ltd., the Avon Utility Department, and ALRW to prepare plans, specifications, and cost estimations for a new bored 12-inch diameter water main, water meter vault, and appurtenances thereto necessary to facilitate an improved direct connection to the ALRW system; and

WHEREAS, ALRW has agreed to oversee and manage the public bidding process, construction management, and contract administration related to a proposed ALRW & City of Avon joint construction project known as the Miller Road Water Main Improvement Project; and

WHEREAS, the public bids were opened and read aloud at noon on January 3, 2024, at the ALRW Board Room and the following bids were received:

Contractor	Bid Total
DRS Enterprises, Inc.	\$240,421.08
Underground Utilities, Inc.	\$247,600.00
KMU Trucking & Excavating, LLC	\$260,900.00
Fechko Excavating	\$262,920.00
NEO Trenching Service, Inc.	\$325,600.00
Triad Engineering & Contracting Co.	\$473,900.00

WHEREAS, a bid tabulation of the received bids prepared and stamped by ALRW staff engineer Jack Gaydar, P.E., P.S., M. ASCE is attached as [Exhibit A](#); and

WHEREAS, a breakdown of ALRW and City of Avon costs also prepared and stamped by ALRW staff engineer Jack Gaydar, P.E., P.S., M. ASCE is attached as [Exhibit B](#) with said

cost divisions being in agreement with cost divisions prepared by the Avon City Engineer thence approved by ALRW and the Avon Utility Department prior to bidding as depicted in the attached [Exhibit C](#); and

WHEREAS, the bid submitted by DRS Enterprises, Inc. in the amount of \$240,421.08 is approximately 6.7% over the City Engineer's Estimate of \$225,300.00 without contingency as presented in the attached [Exhibit D](#); and

WHEREAS, ARLW has determined that the City of Avon's portion of the bid project cost is \$116,629.71 without contingency, see Exhibit B; and

WHEREAS, ALRW has reviewed the DRS Enterprises, Inc. bid submitted and found the bid to be responsive and complete and that it be considered the lowest and best bid for the Miller Road Water Main Improvement Project; and

WHEREAS, the City Engineer recommends that a 10% contingency amount be added to the City of Avon's anticipated project cost of \$116,629.71 without contingency, thus totaling \$128,292.68 with contingency, to reasonably account for the final extents and quantities of work to be performed under the construction contract as determined by ALRW and approved by the Avon Service Director & Utility Superintendent; and

WHEREAS, the Avon Finance Director shall appropriate the amount of \$128,292.68 as the City of Avon's estimated share of the joint ALRW & City of Avon construction project known as the Miller Road Water Main Improvement Project; and

WHEREAS, Council finds that it is in the best interest of the health, safety, and welfare of the Community to go forward with the awarding of a joint construction contract with ARLW, dated January 3, 2024, based on the public bid submitted by the DRS Enterprises, Inc. for the Miller Road Water Main Improvement 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 for the Miller Road Water Main Improvement Project was received on January 3, 2024, at the Avon Lake Regional Water Board Room and read aloud.

Section 2 - That Council authorizes the award of a construction contract to DRS Enterprises, Inc. in the amount of \$240,421.08 corresponding to the public bid submitted by the same for the Miller Road Water Main Improvement Project.

Section 3 - That the Avon Finance Director is authorized to pay the City's share of this obligation from the Capital Improvements Water Fund No. 303.

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 undertake and substantially complete the Miller Road Water Main Improvement Project prior to the end of the 2024 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: _____
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