

ORDINANCE NO. 33-25

AN ORDINANCE TO APPROVE A CONSTRUCTION CONTRACT CHANGE ORDER FOR THE SCHWARTZ ROAD WEST PAVEMENT RESURFACING PROJECT FOR THE PERFORMANCE OF ASPHALT RESURFACING ON TIMBERVIEW DRIVE AND KELLER DRIVE AND DECLARING AN EMERGENCY

WHEREAS, Avon City Council passed Ordinance No. 15-25 on February 24, 2025, which authorized the award of a construction contract in the amount of Six Hundred Seventy-Eight Thousand One Hundred Thirty Dollars and 50/100 Cents (\$678,130.50) to the Specialized Construction, Inc. for the Schwartz Road West Resurfacing Project; and

WHEREAS, due primarily to normal wear and tear, the Avon Service Department has deemed it necessary to plane, repair, and resurface the asphalt pavement along Timberview Drive and Keller Drive, during the 2025 construction season; and

WHEREAS, the Avon Service Department has consulted with Specialized Construction, Inc. and verified that said company is willing to undertake the Timberview Drive and Keller Drive asphalt resurfacing work under the same contract specifications and at the same unit prices as is part of its current contract for the Schwartz Road West Resurfacing project; and

WHEREAS, the City Engineer has formulated an estimate of additional cost, based on the previously established contract unit rates, to perform the additional work on Timberview Drive and Keller Drive which totals an estimated One Hundred Sixty-Nine Thousand One Hundred Forty-Four Dollars and 00/100 Cents (\$169,144.00), as shown on the attached Exhibit A; and

WHEREAS, the revised contract amount for the Schwartz Road West Asphalt Resurfacing Project would increase from Six Hundred Seventy-Eight Thousand One Hundred Thirty Dollars and 50/100 Cents (\$678,130.50) to Eight Hundred Forty-Seven Thousand Two Hundred Seventy-Four Dollars and 50/100 Cents (\$847,274.50); and

WHEREAS, Council finds that it is in the best interest of the health, safety, and welfare of the Community that the City amend the construction contract with Specialized Construction, Inc. and approve a Change Order for the Schwartz Road West Resurfacing Project increasing the contract amount from Six Hundred Seventy-Eight Thousand One Hundred Thirty Dollars and 50/100 Cents (\$678,130.50) to Eight Hundred Forty-Seven Thousand Two Hundred Seventy-Four Dollars and 50/100 Cents (\$847,274.50) by including the planing, repairing, and asphalt resurfacing of Timberview Drive and Keller Drive as detailed on the attached [Exhibit A](#) and as directed by the City Engineer.

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

Section 1 – That Council hereby authorizes a Change Order to the construction contract with Specialized Construction, Inc. for the Schwartz Road West Resurfacing Project to increase the total contract amount from Six Hundred Seventy-Eight Thousand One Hundred Thirty Dollars and 50/100 Cents (\$678,130.50) to Eight Hundred Forty-Seven Thousand Two Hundred

Ordinance No. 33-25 (Con't)

Seventy-Four Dollars and 50/100 Cents (\$847,274.50) based on unit prices as established in the public bid submitted by the same. The Finance Director is hereby authorized to reappropriate the funds required to meet the financial obligation of this Change Order. (See Ordinance No. 61-23)

Section 2 – The Change Order authorized herein will amend the contract documents to include Timberview Drive and Keller Drive as detailed on the attached Exhibit A, incorporated herein by this reference, and as directed by the City Engineer.

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 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 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 include additional work associated with certain areas of Timberview Drive and Keller Drive to the Schwartz Road Resurfacing West Project during the 2025 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

Ordinance No. 33-25 (Con't)

POSTED: _____
Electronically and at City Hall
Provided by Council

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