

ORDINANCE NO. 39-26

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH K.E. McCARTNEY & ASSOCIATES TO PERFORM CONSTRUCTION ADMINISTRATION & INSPECTION SERVICES FOR THE CHESTER ROAD RESURFACING PROJECT ALSO KNOWN AS LOR MR 4313-0.33 (PID 120604) AND DECLARING AN EMERGENCY

WHEREAS, the City of Avon was awarded a grant by the Northeast Ohio Areawide Coordinating Agency (NOACA) to resurface a portion of Chester Road between Chester Industrial Parkway and American Way West, said project being known as the Chester Road Resurfacing Project and known as LOR MR4313-0.33 PID 120604; and

WHEREAS, the City of Avon entered a Local Public Agency (LPA) Agreement with the Ohio Department of Transportation (ODOT) for the Chester Road Resurfacing Project, otherwise known as LOR MR4313-0.33 PID 120604 with the passage of Ordinance No. 113-25 on December 8, 2025; and

WHEREAS, the Administration posted a Request For Qualifications (RFQs) for Construction Administration & Inspection Services through the public ODOT professional services portal and received responses from three qualified consultant teams; and

WHEREAS, the six RFQs were evaluated and scored by a committee which included the City Engineer, the Safety/Service Director, and the Asst. Superintendent of Streets who determined that K.E. McCartney & Associates possessed the needed ODOT pre-qualifications and was the most qualified firm to perform the work based on the qualification based selection process; and

WHEREAS, K.E. McCartney & Associates thence prepared a cost proposal to provide Construction Administration & Inspection Services for the project based on the project scope, project plans, and ODOT Local Public Agency (LPA) project administration requirements, said proposal attached hereto as Exhibit A, which was then reviewed by the City Engineer who found the cost proposal to be responsive to the project scope and reflective of service rates in line with services performed for other similar ODOT related projects; and

WHEREAS, City Council has reviewed the contract for professional construction administration and inspection services submitted by K.E. McCartney & Associates and it finds the agreement to be in the best interests of the health, safety and welfare of the citizens of Avon in facilitating proper construction oversight services for the Chester Road Resurfacing Project together with all appurtenances thereto.

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

Ordinance No. 39-26 (Con't.)

Section 1 - That the Mayor is hereby authorized to execute a contract with K.E. McCartney & Associates for Construction Administration & Inspection Services related to the Chester Road Resurfacing Project together with all appurtenances thereto, in substantially the form as set forth in the attached [Exhibit A](#), which when finalized, shall be incorporated herein and made a part of this ordinance.

Section 2 - Payment in the amount up to Seventy-Eight Thousand, Eight Hundred and Sixty-Four Dollars and 00/100 Cents (\$78,864.00) shall be made from the Chester Road NOACA Resurfacing Fund, No. 411. In addition, the Finance Director is hereby authorized to increase this appropriation by a responsible amount for engineering and legal fees associated with this project.

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such 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 necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to meet established ODOT project milestone dates established for the above-referenced project; 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, President of Council

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