

ORDINANCE NO. 64-26

**AN ORDINANCE TO APPROVE A CONSTRUCTION CONTRACT
CHANGE ORDER (#1) FOR THE STATE ROUTE 83 & STATE ROUTE 254
INTERSECTION IMPROVEMENT PROJECT, PID 111283, LOR SR 0254 05.66,
AND DECLARING AN EMERGENCY**

WHEREAS, Avon City Council passed Ordinance No. 43-25 on May 27, 2025, which authorized the award of a construction contract in the amount of \$11,284,550.00 to the Karvo Companies, Inc. for the State Route 83 & State Route 254 Intersection Improvement Project, PID 111283, LOR SR 0254 05.66; and

WHEREAS, construction activities on the project began in June of 2025 and thru April of 2026 approximately \$3,855,000 in construction work has been completed; and

WHEREAS, as the construction activities on the project have progressed eleven change order items have been identified that would necessitate a change in the cost and/or the schedule to the original construction contract awarded to Karvo Companies, Inc. via Ordinance No. 43-25; and

WHEREAS, the Construction Administer for the project, K.E. McCartney, has prepared Change Order #1, attached hereto as Exhibit A, which details each of the change order items and the cumulative impact to the Karvo Companies, Inc. construction contract; and

WHEREAS, upon acceptance of the proposed Change Order the revised contract amount for the State Route 83 & State Route 254 Intersection Improvement Project would increase \$26,660.13 from \$11,284,550.00 to \$11,311,210.13 and the contract completion date would change from October 15, 2026, to September 29, 2026; 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 Karvo Companies, Inc. via the approval of Change Order #1 for the State Route 83 & State Route 254 Intersection Improvement Project to increase the contract amount from \$11,284,550.00 to \$11,311,210.13 while moving the construction completion date from October 15, 2026 to September 29, 2026 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 – The City Administration is recommending the passage of Change Order #1 as detailed in Exhibit A, attached hereto and incorporated herein, to amend the contract documents for the State Route 83 & State Route 254 Intersection Improvement Project to increase the total contract amount from \$11,284,550.00 to \$11,311,210.13 while moving the construction completion date from October 15, 2026 to September 29, 2026.

Section 2 – That Council authorizes the Change Order as set forth in Section 1, and authorizes the Finance Director to reappropriate the funds required to meet the financial obligation of this Change Order #1 from the State Route 83 & State Route 254 Intersection Improvement Fund No. 415.

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 the State Route 83 & State Route 254 Intersection Improvement Project, PID 111283, LOR SR 0254 05.66 during the 2026 construction season; therefore, this resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: June 1, 2026 DATE SIGNED: June 1, 2026

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: June 2, 2026

[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 3, 2026
Electronically and at City Hall
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. 64-26, passed by the Council of said City on June 1, 2026.

IN WITNESS WHEREOF, I have on this 2nd day of June 2026, affixed my signature and official seal.

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

CHANGE ORDER**PROJECT**

LOR-SR254-5.66 SR 254 / SR 83 Widening
PID No. 111283

C.O. # 1 Rev1

DATE April 1, 2026

CONTRACTOR

Karvo Companies, Inc

OWNER

City of Avon
36080 Chester Rd
Avon, Ohio 44011

CHANGE ORDER DETAIL

Ref. #	Description	Part Code	Quantity	Unit	Unit Price	Amount
	See Detail Sheet for All Items					
					Total	\$ 26,660.13

EXPLANATION OF NECESSITY

The Contractor hereby agrees to the Contract changes set forth in this Change Order and releases the Owner from any further obligation for compensation of any known or suspected direct or indirect costs of the work included herein.

See Attached Sheet for Explanation by Reference Number

CHANGE TO CONTRACT PRICE

Original Contract Price	\$	11,284,550.00
Current Contract Price - Adjusted by Previous Change Order(s)	\$	11,284,550.00
Increase \ Decrease Due to this Change Order	\$	26,660.13
New Contract Price - Including This Change Order	\$	11,311,210.13

CHANGE TO CONTRACT TIME

Original Contract Completion Date	October 15, 2026
Contract Time (Days) Due to this Change Order	-16 Days
Current Contract Completion Date	September 29, 2026

Recommended \ Approved By:	Signature	Date
ENGINEER \ CONST. MGR. K.E. McCartney & Associates Ryan Simon, PE, CPESC	Recommended By: 	5/13/2026
CONTRACTOR Karvo Companies, Inc Kim DeLorenzo	Approved By: 	5/12/2026
OWNER City of Avon	Approved By: 	6/2/26

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CONTRACTOR

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OWNER

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Ref. #	Description	Quantity	Unit	Unit Price	Amount
131A	LIGHT POLE, DECORATIVE, APP, TYPE P1	(1.00)	EA	\$ 10,000.00	\$ (10,000.00)
140A	LUMINAIRE, DECORATIVE, APP, ROADWAY FIXTURE	(1.00)	EA	\$ 2,300.00	\$ (2,300.00)
141A	LUMINAIRE, DECORATIVE, APP, SIDEWALK FIXTURE	(1.00)	EA	\$ 2,050.00	\$ (2,050.00)
143	PULL BOX, 725.08, 24"	(28.00)	EA	\$ 1,200.00	\$ (33,600.00)
152	PULL BOX, 725.08, 36'	(15.00)	EA	\$ 4,450.00	\$ (66,750.00)
194	PULL BOX, 725.08, 18" AS PER PLAN	(38.00)	EA	\$ 1,000.00	\$ (38,000.00)
195	PULL BOX, 725.08, 24", AS PER PLAN	(2.00)	EA	\$ 1,200.00	\$ (2,400.00)
264	WORK ZONE TRANSVERSE/DIAGONAL LINE, CLASS 1, 642 PAINT	309.00	FT	\$ 2.70	\$ 834.30
271	PAVEMENT FOR MAINTAINING TRAFFIC, CLASS A	31.90	SY	\$ 100.00	\$ 3,190.00
400	24" PULL BOX, 725.06 FOR REF 143	28.00	EA	\$ 1,155.00	\$ 32,340.00
401	36" PULL BOX, 725.06 FOR REF 152	15.00	EA	\$ 3,855.00	\$ 57,825.00
402	18" PULL BOX, 725.06 FOR REF 194	38.00	EA	\$ 965.00	\$ 36,670.00
403	24" PULL BOX, 725.06 FOR REF 195	2.00	EA	\$ 1,155.00	\$ 2,310.00
404	OVERHEAD SIGN SUPPORT, TC 16.22, DESIGN 12	1.00	EA	\$ 22,964.00	\$ 22,964.00
405	LIGHT POLE, DECORATIVE, APP- LABOR ONLY- REF #131A	1.00	EA	\$ 1,100.00	\$ 1,100.00
406	LUMINAIRE, DECORATIVE, APP, ROADWAY FIXTURE, LABOR ONLY-REF #140A	1.00	EA	\$ 100.00	\$ 100.00
407	LUMINAIRE, DECORATIVE, APP, SIDEWALK FIXTURE, LABOR ONLY-REF #141A	1.00	EA	\$ 100.00	\$ 100.00
408	STORM STRUCTURE MODIFICATIONS	1.00	EA	\$ 1,780.60	\$ 1,780.60
409	GARCIA CONTROL POINT WORK	1.00	EA	\$ 15,372.75	\$ 15,372.75
410	SEWER CONFLICT 1.7.26	1.00	EA	\$ 1,121.77	\$ 1,121.77
411	WATER MAIN BREAK 1.6.26	1.00	EA	\$ 2,363.79	\$ 2,363.79
412	GAS LINE CONFLICT 11.13.25	1.00	EA	\$ 463.68	\$ 463.68
413	UNMARKED SEWER 12.8.25	1.00	EA	\$ 3,224.24	\$ 3,224.24
					\$ -
					\$ -
					\$ -
					\$ -
Totals					\$ 26,660.13

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OWNER

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Avon, Ohio 44011

EXPLANATION OF NECESSITY

Ref.# 264, 271

The quantities for the above reference items have been determined from actual field measurements and/or calculations for the work completed and accepted on the project.

Ref. # 143, 152, 194, 195, 400, 401, 402, 403

At the City's request, the plan specified concrete pull boxes 725.08 will be replaced with polymer concrete pull boxes 725.06. The contractor submitted a material cost credit to the project and new unit prices were established. The new unit price is in accordance with 109.05.B.1a. The original bid items will be non-performed.

Ref.# 404

The plan quantities did not include the overhead sign support for TC-16.22, Design 12. The contractor submitted material quotes for a Design 12 & Design 13 support to assist in establishing a unit price for a Design 12 support. The new unit price is in accordance with 109.05.B.1a.

Ref.# 131A, 140A, 141A, 405, 406, 407

The City of Avon had purchased an additional light pole and luminares for a separate project that is adjacent to this project. The contractor will utilize the City furnished extra material and will perform the work at the unit labor cost submitted at time of bid. The quantities for the original furnish & install bid items are being reduced and new labor only items are being added to install the City furnished material.

Ref.# 408

The plans show an exist. 12" conduit at STA 968+00 LT that was to tie-in to a new 12" conduit. Field conditions revealed the existing conduit was 15" diameter. The catch basin structure was modified to allow for the larger size pipe installation. Work also included water service relocation out of sewer trench. The contractor performed this work under force account. The force account was reviewed for conformance with the specifications and the costs associated with labor, equipment, and material were acceptable.

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Ref.# 409

Garcia Surveyors performed extra work to complete layout of the project. Several control points along the project were found to vary from plan and required additional time to coordinate layout. The contractor performed this work under force account in accordance with 109.05.C.9. The force account was reviewed for conformance with the specifications and the costs associated with labor, equipment, and material were acceptable.

Ref.# 410

During waterline installation at approximate STA 170+50 RT, the contractor uncovered an unmarked sanitary sewer lateral. After confirmation with City forces, the contractor repaired the sewer lateral. The contractor performed this work under force account. The force account was reviewed for conformance with the specifications and the costs associated with labor, equipment, and material were acceptable.

Ref.# 411

During waterline installation, the contractor uncovered an old unmarked water service lateral and pulled it from the watermain. Work was halted and the contractor assisted City forces with the repair. The contractor performed this work under force account. The force account was reviewed for conformance with the specifications and the costs associated with labor, equipment, and material were acceptable.

Ref.# 412

During installation of 12" storm sewer, the contractor encountered an unmarked gas service line in the excavation. Additional excavation was needed to get the storm sewer underneath. The contractor performed this work under force account. The force account was reviewed for conformance with the specifications and the costs associated with labor, equipment, and material were acceptable.

Ref.# 413

During waterline installation, the contractor hit a tee in a sanitary lateral that was not shown on the plans. After verification with City forces, the contractor performed the repair work under force account. The force account was reviewed for conformance with the specifications and the costs associated with labor, equipment, and material were acceptable.

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CONTRACTOR

Karvo Companies, Inc

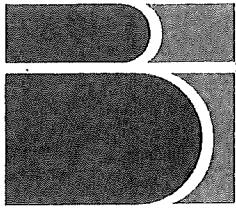
OWNER

City of Avon
36080 Chester Rd
Avon, Ohio 44011

Contract Time Extension

The City of Avon authorized the contractor to proceed with 2 months of winter work if the contractor could improve the contract completion date by 2 weeks. Any additional winter work beyond the initial two months must result in a 1 work day for 1 day savings on the completion date. The Contractor agreed to the provisions via email on 11/26/2025. The contractor worked 42 days between 12/1/25 and 3/31/26. Days worked:

12/1/25 - 12/5/25 ~ 5 days
12/8/25 - 12/11/25 ~ 4 days
1/5/26 - 1/8/26 ~ 4 days
1/12/26 - 1/16/26 ~ 5 days
1/22/26 - 1/23/26 ~ 2 days
2/16/26 - 2/20/26 ~ 5 days
2/23/26 - 2/27/26 ~ 5 days
3/2/25 ~ 1 day
3/16/26 - 3/19/26 ~ 4 days
3/23/26 - 3/27/26 ~ 5 days
3/30/26 - 3/31/26 ~ 2 days



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May 7th, 2026

Ms. Pam Fechter
Economic Development & Planning Coordinator
City of Avon
36080 Chester Road, Avon, Ohio 44011

Reference: Nagel Road Site Development, Premier Development Partners

Dear Ms. Fechter,

We have reviewed the final development plans and stormwater management for 1500 Nagel Road dated February 6th 2026 from Polaris Engineering and Surveying and offer the following comments.

The 16-page plan set includes a driveway and parking lot modifications for K1, lighting improvements, wetland filling, driveway connector stub to the future McDonald's site, shared stormwater management basin improvements, earth disturbing swppp activities, significant 8' tall mound creation east of McDonalds and at the Northwest corner of Nagel and Chester.

Plan review comments:

1. Shared stormwater management and access easements will be needed for the 3 parcels.
2. Driveway improvements off Nagel Road should include a median island to line up drive lanes with Cleveland Clinic Boulevard for safety with at least one lane of ingress and one lane of egress as well as appropriate signage.
3. The Fire Truck Turn exhibit needs to be modified to include the proposed access drive. The access road curves are very tight and maneuvering will be difficult.
4. The photometric plan does not meet the criteria for providing 1 foot candle in parking and pedestrian areas as required.
5. The photometric plan shall include the access driveway as required.
6. A light pole detail shall be provided including indicated the pole height.
7. The Photometric plan indicates parking within the back of 1500 Nagel Road on existing pavement. The site plan shall include all parking pavement markings and include a parking count and calculation as typical. Also provide clarity on the number of ADA spots being provided (unclear if the northern ADA is proposed or existing) and update the number of required ADA spots based on the total number of spots to be marked.

Plan review comments continued:

8. Provide additional information on the existing wetlands including reports and status of any mitigation.
9. The proposed access driveway is very close to the proposed stormwater management pond. What considerations have been given for safety ie guardrail and separation? Where will light poles be provided? The narrow width around the basin does not provide much access for maintenance as typically required by the City of Avon.
10. Label the green and orange color property lines shown on various plan sheets.
11. A temporary barricade should be provided on the access road as part of phased development.
12. Indicate the existing downspout lines and water service line locations to the existing building.
13. Is the proposed mounding temporary or permanent?
14. Include an enlarged view of the grading in the ADA area and include slopes for verification of compliance.
15. SWPPP.
 - a. Shall include the NOI permit number.
 - b. Additional phasing notes need added for the sequence of construction.
 - c. Indicate where the construction driveway will be.
 - d. Additional temporary bmp's are needed on the McDonald's site.
 - e. Inlet protect is needed throughout the site.

Stormwater Management:

16. A narrative shall be provided to explain what is included in the stormwater management calculations now and what will be included in future designs.
17. Curve numbers on the existing need adjusted (grass – 80 not 84, and gravel – 91 not 98).
18. There is no tailwater. The existing 43"x68" elliptical pipe invert is about 18" below the final outlet pipe. A full flowing elliptical would certainly have an impact on the basin.
19. The water quality calculation does not meet the code for drawdown time for the City. While the OEPA Permit does allow 24 hrs, the City code requires 48 hrs.
20. The storm sewer calculations need to be reviewed and updated to match the plans. The runoff coefficients are too low and should be increased. If the storm sewer is going to be used for future development, then they shall be sized accordingly and not for the current proposed conditions (grass).
21. The storm sewer Tc are too low for the pavement storm sewer.
22. Provide additional information on the existing stormwater management per plan including its function, need for possible cleaning, how it outlets and if the outlet will need to be modified.

Future final development plans for the restaurant site (parcel "B") and future development site (parcel "A"):

23. The general development plan will need to be updated once parcel "A" plans are known and if parcel "B" is modified.
24. Include drive through stack and parking calculations.
25. Special use permit will be required in the future for the drive thru(s) and any outdoor patios.
26. Traffic Impact Study to be provided as part of final development plans or preferably in advance.
27. Common open space area shall be calculated for each site with a composite total.
28. Parking calculations shall be provided with final engineering.
29. It was previously noted that the 4 existing access points off of Chester Road and 1 access point off of Nagel Road are to be eliminated regarding parcels A & B. Proposed access shall be evaluated with the traffic impact study in accordance with ODOT design guides and best management practices for this intersection. The curb drops for all the aprons being removed will need to have the existing curbs replaced as needed to have a full 6" reveal curb as part of this plan set.
30. Existing sidewalks, pavement, traffic signal etc on the subject parcel shall be show on the existing conditions as well as the existing drive apron access off of the south side of Chester Road shall be shown on the plans.

Please let us know if there are any questions.

Respectfully,

BRAMHALL ENGINEERING & SURVEYING COMPANY



Aaron P. Appell, P.E. C.P.E.S.C.
Principal