

ORDINANCE NO. 107-14

**AN ORDINANCE TO AWARD THE BID FOR THE AVON
MUNICIPAL AQUATIC FACILITY SITE PACKAGE
AND DECLARING AN EMERGENCY**

WHEREAS, Council, pursuant to Resolution 14-14, passed on July 14, 2014, advertised for bids for the construction of the municipal aquatic facility site package to be located behind the Post Office, Police and Fire Station complex; and

WHEREAS, the first phase of this construction project will consist of 410 linear feet of roadway extension south of the intersection of Detroit Road and Healthway Drive, together with the extension of storm sewers, drainage improvements, storm water management facilities, sanitary sewers, waterline, electric distribution, communication conduits, traffic signal modification at Detroit Road and Healthway Drive, pavement markings, mass earth grading, parking lot facility, permeable pavers, roadway lighting, modification of the United States Post Office entrance, landscaping, mounding, asphalt paths, concrete walks, and lawn restoration; and

WHEREAS, the following bids were received for the first phase of this construction as follows:

Company	Bid
Mr. Excavator	\$2,400,811.91
Precision Engineering & Contracting Inc.	\$2,497,549.00
Haynes Construction	\$2,580,285.00
KMU Trucking & Excavating	\$2,612,161.77
Sitetech, Inc.	\$2,668,456.22
Sona Construction, LLC	\$3,082,418.23

WHEREAS, Service Director and the City Engineer have elected to perform the base bid for the first phase of the construction of the municipal aquatic facility and recommend acceptance of the bid submitted by Mr. Excavator in the amount of Two Million, Four Hundred Thousand Eight Hundred Eleven Dollars and 91/100 Cents (\$2,400,811.91) as the lowest and best bid received.

WHEREAS, the Service and Finance Committees of Council and Council as a whole reviewed the bids and the recommendations, finds awarding the bid to Mr. Excavator without further delay to be in the best interests of the health, safety and welfare of the citizens of Avon.

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

Section 1 - That the bid submitted by Mr. Excavator in the amount of Two Million, Four Hundred Thousand Eight Hundred Eleven Dollars and 91/100 Cents (\$2,400,811.91) is hereby accepted as the lowest and best bid received. Said amount shall be raised from the sale of notes being authorized by Ordinance No. 98-14 and passed on August 4, 2014, a portion of the proceeds of which will be deposited directly into the Municipal Complex Infrastructure Fund No. 427 to cover the obligations incurred herein and payment shall be made from said Fund pursuant to directives of the Finance Director. Furthermore, the Finance Director is authorized to increase the appropriation by a reasonable amount for engineering and legal fees associated with this project.

Section 2 - 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 3 - 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 award the bid for first phase of the construction of the municipal aquatic facility site package to be located behind the Post Office, Police and Fire Station complex so that the City can meet its deadline of May 22, 2015 for completion of the entire project; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

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ATTEST:

Ellen R. Young
Clerk of Council

Posted:

In Five Places as
Provided by Council

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