

**ORDINANCE NO. 12-17**

**AN ORDINANCE TO AWARD THE BID FOR THE  
CASE ROAD & NAGEL ROAD PAVEMENT RESURFACING PROJECT  
WITH ALL APPURTENANCES, THERETO  
AND DECLARING AN EMERGENCY**

**WHEREAS**, due to normal wear and tear as well as increased traffic, it is necessary for the City to repair, re-pave, widen and improve certain roads/streets within the municipality during the current construction season; and

**WHEREAS**, City officials have determined that the following roadways will be improved and/or reconstructed at the following locations: Nagel Road, between a point approximately four hundred fifty feet south of Schwartz Road (the southern extent of a previous improvement project) and the Mills Road intersection; Case Road, between State Route 254 (Detroit Road) and the southern municipal boundary; and;

**WHEREAS**, Avon City Council passed Resolution R-3-17 on January 23, 2017 to advertise for public bids for the Case Road & Nagel Road Pavement Resurfacing Project; and

**WHEREAS**, the project shall consist of removal of the top portion of the existing asphalt surface, partial and full depth asphalt pavement repairs at locations determined by the City Engineer, asphalt pavement resurfacing, reinstallation of impacted pavement markings, maintenance of traffic, and associated restoration as detailed in plans and specifications prepared by the City Engineer and Chagrin Valley Engineering, Ltd.; and

**WHEREAS**, safety concerns were expressed by members of the City Council and City Administration due to the narrow width of Case Road due to its rural roadway history. In response, an alternate work section was added to the bid package to secure pricing to widen Case Road from its current approximate width of 19.5 feet up to a proposed width of 22.0 feet. The increased width would also match the current width of the roadway at the North Ridgeville municipal boundary; and

**WHEREAS**, the public bids were opened and read aloud at noon on February 16, 2017 at Avon City Hall for the Case Road & Nagel Road Pavement Resurfacing Project. The bids received are as follows:

| Company                            | Base Bid       | Alternate<br>Case Rd. Widening | Bid & Alternate<br>Total |
|------------------------------------|----------------|--------------------------------|--------------------------|
| Karvo Companies, Inc.              | \$906,145.00   | \$215,628.00                   | \$1,121,773.00           |
| Chagrin Valley Paving, Inc.        | \$967,865.00   | \$277,783.00                   | \$1,245,648.00           |
| Precision Paving, Inc.             | \$967,970.00   | \$521,830.00                   | \$1,489,800.00           |
| Crossroads Asphalt Recycling, Inc. | \$1,035,901.00 | \$332,653.00                   | \$1,368,554.00           |
| Barbicas Paving, Inc.              | \$1,125,197.00 | \$277,451.70                   | \$1,402,648.70           |
| Burton Scot Contractors, Inc.      | \$1,164,141.00 | \$252,457.50                   | \$1,416,598.50           |

**WHEREAS**, the Engineer's Estimate for the Base Bid was \$1,058,050.00 and for the Alternate was \$250,590.00 for a total of \$1,308,640.00. As such the bid submitted by Karvo Companies, Inc. for the Base Bid and Alternate in total is 14% below the Engineer's Estimate. A copy of the bid tabulation is attached hereto as Exhibit A.

**WHEREAS**, the City Engineer has reviewed each of the bids submitted and is recommending that the Base Bid plus Alternate submitted by Karvo Companies, Inc. be considered the lowest and best bid for the Case Road & Nagel Road Pavement Resurfacing Project.

**WHEREAS**, Council finds that it is in the best interest of the health, safety and welfare of the Community that the City of Avon go forward with awarding a construction contract to complete the Case Road & Nagel Road Pavement Resurfacing Project as referenced above.

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

Section 1 - That pursuant to bids received on February 16, 2017 for the Case Road & Nagel Road Pavement Resurfacing Project, the bid submitted by Karvo Companies, Inc. for the Base Bid and Alternate in the amount of One Million One Hundred Twenty One Thousand, Seven Hundred Seventy Three Dollars and 00/100 Cents (\$1,121,773.00) is declared to be the lowest and best bid and the Mayor is hereby authorized to execute a construction contract with that entity. The Finance Director is hereby authorized to transfer sufficient funds from the General Fund No. 101 and from the Capital Improvement Fund No. 401 into the 2017 Road Program Fund No. 405. The Finance Director is further authorized to make payment from the 2017 Road Program Fund No. 405 pursuant to said contract in the amount of One Million One Hundred Twenty One Thousand, Seven Hundred Seventy Three Dollars and 00/100 Cents (\$1,121,773.00). In addition, the Finance Director is authorized to increase this 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 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 3- 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 Case Road & Nagel Road Pavement Resurfacing Project with Alternate prior to the end of the 2017 construction season; therefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

Ordinance No. 12-17 (Con't)

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

ATTEST:

\_\_\_\_\_  
Barbara Brooks  
Clerk of Council

Posted: \_\_\_\_\_  
In Five Places as  
Provided by Council

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