

ORDINANCE NO. 63-17

**AN ORDINANCE AWARDING THE BID FOR THE
SCHWARTZ ROAD PARK ACCESS ROAD IMPROVEMENT PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, Avon City Council passed Resolution R-17-17 on May 22, 2017 to advertise for bids for the Schwartz Road Park Access Road Improvement Project; and

WHEREAS, City of Avon desires to make certain improvements to Schwartz Road Park for the benefit of and to enhance the safety of park users and the community as a whole; and

WHEREAS, City officials have determined that improvements to traffic flow, available parking, water supply system, electrical system, storm water management system and pedestrian paths are warranted; and

WHEREAS, the proposed scope of the project consists of the following: installation of approximately 540 feet of asphalt access road and asphalt trail from Schwartz Road into the Schwartz Road Park including 20 additional parking spots; construction of a storm water management system, water mains and conduits for future electric improvements; addition of storm sewer improvements along the northeast section of the park for improved drainage; A 6-inch water main will be extended from Schwartz Road into the park in order to install a water fountain, fire hydrant and connections to the existing sprinkler system; Underground conduits will be extended from the concession stand to the pavilion and under the new access road for future electrical facilities in the park; and installation of seven additional parking spaces to the west side of the existing parking lot.; and

WHEREAS, the public bids were opened and read aloud at noon on June 22, 2017 at Avon City Hall for the Schwartz Road Park Access Road Improvement Project. The bids received are as follows:

Company	Bid
KMU Trucking & Excavating, LLC	\$536,294.70
Mr. Excavator, Inc.	\$651,101.00

WHEREAS, the Engineer's Estimate for the Base Bid was \$645,000.00. As such the bid submitted by KMU Trucking & Excavating, LLC is 17% below the Engineer's Estimate. A copy of the bid tabulation is attached hereto as Exhibit A; and

WHEREAS, the City Engineer has reviewed each of the bids submitted and is recommending that the bid submitted by KMU Trucking & Excavating, LLC be considered the lowest and best bid for the Schwartz Road Park Access Road Improvement Project; and

WHEREAS, Council finds that it is in the best interest of the health, safety and welfare of the Community that the City go forward with advertising for public bids to complete the Schwartz Road Park Access Road Improvement Project.

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

Section 1 - Pursuant to bids received on June 22, 2017 for the Schwartz Road Park Access Road Improvement Project, the bid submitted by KMU Trucking & Excavating, LLC in the amount of Five Hundred Thirty-Six Thousand, Two Hundred Ninety-Four Dollars and 70/100 Cents (\$536,294.70) is declared to be the lowest and best bid and the Mayor is hereby authorized to execute a construction contract with that entity.

Section 2 – Council further authorizes the Finance Director to make payment from the Park Development Fund No. 251 in the amount of Five Hundred Thirty-Six Thousand, Two Hundred Ninety-Four Dollars and 70/100 Cents (\$536,294.70) pursuant to said contract and to increase this appropriation by a reasonable amount for engineering and legal fees associated with this project.

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 Resolution 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 undertake and substantially complete the Schwartz Road Park Access Road Improvement Project prior to the end of the 2017 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: _____
Craig L. Witherspoon, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

Ordinance No. 63-17 (Con't.)

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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