

ORDINANCE NO. 18-19

**AN ORDINANCE TO AWARD A CONSTRUCTION CONTRACT FROM THE PUBLIC
BIDS RECEIVED FOR THE CONSTRUCTION OF A VETERANS MEMORIAL AT
THE DETROIT ROAD MUNICIPAL COMPLEX (aka AQUATIC FACILITY)
AND DECLARING AN EMERGENCY**

WHEREAS, the City of Avon is home to the Veterans of Foreign Wars (VFW) Post 7035 which has many Avon residents as members and is an active part of the Avon community fabric; and

WHEREAS, the Veterans of Foreign Wars of the United States is a nonprofit veterans service organization comprised of eligible veterans and military service members from the active, guard and reserve force; and

WHEREAS, the VFW has a long and proud history dating back to 1898 and has been instrumental in establishing the Veterans Administration, the “GI Bill” and fund-raising for the creation of the Vietnam War, Korean War, World War II and Women in Military Service memorials among other noble activities; and

WHEREAS, one of the stated core values of the VFW organization is to Honor Military Service; and

WHEREAS, members of the VFW Post 7035 exemplified their core values and gave freely of their time and talents to work with the City of Avon and Clark & Post Architects, Inc. to promote and design the proposed Veterans Memorial; and

WHEREAS, the City of Avon shares a desire to honor the service of all veterans while highlighting the sacrifice of Avon residents who have given their life for their country through the construction of a Veterans Memorial at the Detroit Road Municipal Complex; and

WHEREAS, the City’s Municipal Complex is a 31-acre multi-use park complex and community destination which includes an outdoor aquatic center, all-inclusive playground, nature trail, outdoor exercise areas, kid’s performance pavilion, Post Office, Police Station, Fire Station and the proposed location for a relocated City Hall; and

WHEREAS, a public bid was authorized by City Council in Resolution No. R-30-18 passed on November 26, 2018;

WHEREAS, the public bids were opened and read aloud at noon on February 7, 2019 at Avon City Hall. The bids received are as follows:

Company	Base Bid	Alternate 1	Alternate 2	Total Bid
Perk Company, Inc.	\$145,792.00	\$26,546.00	\$8,800.00	\$181,138.00
KMU Trucking & Excavating, Inc.	\$188,060.00	\$16,000.00	\$4,600.00	\$208,660.00

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WHEREAS, Within the bid documents, Alternate 1 sought a cost to construct a Masonry Entry Arch and Alternate 2 sought a cost to perform Finish Grading, Seeding & Mulching of the project site once the monument construction was completed;

WHEREAS, The Engineer's Estimate for the project is \$165,000.00. As such, the bid submitted by Perk Company, Inc. is 9.8% above 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 bid submitted by Perk Company, Inc. for the Base Bid and Alternate 1 be considered the lowest and best bid for the Veterans Memorial at the Detroit Road Municipal Complex Project, and that Alternate 2 not be accepted due to its cost.

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

Section 1 - That the bids for the Veterans Memorial at the Detroit Road Municipal Complex Project were received on February 7, 2019.

Section 2 - That Council authorizes the award of a construction contract to Perk Company, Inc. in the amount of \$172,338.00 for the Base Bid & Alternate 1 to construct a Veterans Memorial at the Detroit Road Municipal Complex. The Finance Director is hereby authorized to transfer One Hundred Seventy Two Thousand Three Hundred Thirty Eight Dollars and 00/100 Cents (\$172,338.00) from the Veterans Memorial Project Fund No. 487 pursuant to the directives of the Finance Director, who is hereby authorized to increase the 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 Veterans Memorial at the Detroit Road Municipal Complex Project prior to the 2019 Memorial Day Holiday; 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

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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