

RESOLUTION NO. R-12-19

**A RESOLUTION TO RE-ADVERTISE FOR BIDS FOR THE IMPROVEMENT OF
CHESTER ROAD BETWEEN STATE ROUTE 83 AND AMERICAN WAY
AND DECLARING AN EMERGENCY**

WHEREAS, Council, pursuant to Resolution 10-19, passed on April 8, 2019, advertised for bids for the improvements of Chester Road between St. Rt. 83 and American Way; and

WHEREAS, The Engineer's Estimate for the project was \$1,174,906.00.

WHEREAS, the one and only bid submitted by KMU Trucking & Excavating, LLC was 18.1% above the Engineer's Estimate and pursuant to Ohio Revised Code '153.12 , City Council rejected the bid (Ord. No. 44-19); and

WHEREAS, the widening of Chester Road between State Route 83 and American Way to a minimum of three lanes together with provision of a formal left-hand turn into Traveler's Point and the establishment of a six-foot wide concrete path along the north side of Chester Road between State Route 83 and American Way will improve motor vehicle, pedestrian and bicycle safety in this area. As such, Council, in an effort to complete these improvements in the earliest possible time-frame, deems it to be in the best interests of the safety, health and welfare of the Community, to immediately re-advertise for bids to complete these improvements.

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

Section 1 - That the Clerk of Council is hereby authorized and directed to re-advertise for bids for the installation and construction of improvements to be known as the Chester Road Widening, State Route 83 to American Way Project with all appurtenances thereto pursuant to revised plans and specifications prepared by the City Engineer and Chagrin Valley Engineering, Ltd. which shall be on file and open for inspection at the office of the Clerk of Council and incorporated herein by this reference.

Section 2 - That the City shall reserve the right to reject any and all bids.

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 Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare of the citizens

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of the City of Avon, the immediate emergency being the necessity to re-advertise for bids for the installation and construction of improvements to be known as the Chester Road Widening, State Route 83 to American Way Project in order to facilitate completion prior to the end of the 2019 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

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places, as
Provided by Council

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