

ORDINANCE NO. 58-19

**AN ORDINANCE TO AWARD THE BID FOR THE CHESTER ROAD WIDENING
PROJECT BETWEEN STATE ROUTE 83 AND AMERICAN WAY
AND DECLARING AN EMERGENCY**

WHEREAS, the increase of traffic volumes and anticipated future development have necessitated the widening of the roadway corridor along Chester Road west of State Route 83 during the 2019 construction season; and

WHEREAS, the existing roadway corridor varies from three lanes at the American Way intersection to two lanes and then up to four lanes at the State Route 83 intersection; and

WHEREAS, the volume of traffic along Chester Road between American Way and State Route 83 has reduced gaps in traffic to the point that opportunities for left hand turn movements off of Chester Road have significantly diminished and become more dangerous; and

WHEREAS, the widening of Chester Road between State Route 83 and American Way to a minimum of three lanes in conjunction with provision of a formal left-hand turn into Traveler's Point will improve safety for the travelling public; and

WHEREAS, 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 pedestrian and bicycle safety, will serve as an extension to path improvements on Chester Road east of State Route 83 and comports with Avon's continued efforts to enhance pedestrian connectivity; and

WHEREAS, City Council authorized a public re-bid of the project via Ordinance No. 44-19 and Resolution R-12-19 both passed on May 13, 2019; and

WHEREAS, the public bids were opened and read aloud at noon on June 6, 2019 at Avon City Hall. The bids received were as follows:

<u>Contractor</u>	<u>Bid Total</u>
Liberta Construction Company	\$1,330,473.50
KMU Trucking & Excavating, Inc.	\$1,433,051.15

WHEREAS, The Engineer's Estimate for the Bid is \$1,377,980.00. As such, the bid submitted by Liberta Construction Company, Inc. is approximately 3.5% 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 Liberta Construction Company be considered the lowest and best bid for the Improvement of Chester Road between State Route 83 and American Way; 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 the following: awarding the bid for the Chester Road Widening Project between State Route 83 and American Way which was received on June 6, 2019.

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 June 6, 2019 for the Chester Road Widening Project between State Route 83 and American Way, the bid submitted by Liberta Construction Company in the amount of One Million, Three Hundred Thirty Thousand, Four Hundred Seventy Three and 50/100 Dollars (\$1,330,473.50) 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 make payment from the Chester Road/American Way Improvement Fund No. 486. The Finance Director is further authorized to transfer sufficient funds from the General Fund No. 101 to the Chester Road/American Way Improvement Fund No. 486 in a reasonable amount for engineering fees, legal fees, appraisal fees and property acquisitions 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 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 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 Chester Road Widening Project 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