

ORDINANCE NO. 59-19

AN ORDINANCE TO AWARD THE BID FOR THE NAGEL ROAD WIDENING IMPROVEMENTS - PHASE 1 BETWEEN MIDDLETON ROAD AND DETROIT ROAD AND DECLARING AN EMERGENCY

WHEREAS, the increase of traffic volumes and anticipated future development have necessitated the widening of the roadway corridor along Nagel Road between Middleton Road and Detroit Road during the 2019 construction season; and

WHEREAS, the existing roadway corridor varies from three lanes at the Middleton Road intersection to two lanes and then widens back to three lanes at the Detroit Road (SR 254) intersection; and

WHEREAS, the volume of traffic along Nagel Road between Middleton Road and Detroit Road has reduced gaps in traffic to the point that opportunities for left hand turn movements off Nagel Road have significantly diminished and become more dangerous; and

WHEREAS, the widening of Nagel Road between Middleton Road and Detroit Road to a minimum of three lanes in conjunction with the provision of a formal left-hand turn lane for left turn movements for the residential and retail businesses along Nagel Road will improve safety for the travelling public; and

WHEREAS, Avon City Council passed Resolution R-11-19 on May 13, 2019 to advertise for bids for the improvement of Nagel Road between Middleton Road and Detroit Road; and

WHEREAS, the public bids were opened and read aloud at noon on June 13, 2019 at Avon City Hall. The bids received were as follows:

<u>Contractor</u>	<u>Bid Total</u>
KMU Trucking & Excavating, LLC.	\$1,039,617.00
Mr. Excavator, Inc.	\$1,094,003.83

WHEREAS, The Engineer's Estimate for the Bid is \$1,048,534.00. As such, the bid submitted by KMU Trucking & Excavating, LLC. is approximately 0.85% 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 improvement of Nagel Road between Middleton Road and Detroit Road; and

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 the aforementioned bid for the project known as Nagel Road Widening Improvements – Phase 1 between Middleton Road and Detroit Road as received on June 13, 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 13, 2019 for the Nagel Road Widening Improvements – Phase 1 Project between Middleton Road and Detroit Road, the bid submitted by KMU Trucking & Excavating, LLC in the amount of One Million Thirty Nine Thousand Six Hundred and Seventeen and 00/100 Dollars (\$1,039,617.00) 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 make payment from the 2019 Road Program Fund No. 409. If necessary, the Finance Director is further authorized to transfer sufficient funds from the General Fund No. 101 to the 2019 Road Program Fund No. 409. 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 Nagel 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