

ORDINANCE NO. 72-19

**AN ORDINANCE TO AWARD THE PUBLIC BIDS FOR THE
2019 PAVEMENT MARKING PROGRAM
AND DECLARING AN EMERGENCY**

WHEREAS, due to normal wear and tear, as well as increased traffic, it is necessary for the City to re-apply pavement markings on certain roads/streets within the municipality during the current construction season; and

WHEREAS, City officials have determined that the pavement markings on public roadways throughout the city will be re-applied, except where recent thermoplastic installations are still in good condition, pursuant to plans and specifications developed by the City Engineer and Chagrin Valley Engineering, Ltd. which shall be on file open for inspection at the Office of the Clerk of Council and incorporated herein by reference; and

WHEREAS, Avon City Council, passed Resolution No. R-17-19, on July 1, 2019 to advertise for bids for the re-application of pavement markings on public streets within the City of Avon, known as the 2019 Pavement Marking Program; and

WHEREAS, the public bids were opened and read aloud at noon on August 1, 2019 at Avon City Hall. The bids received for the 2019 Pavement Marking Program are as follows:

Company	Bid
Dura Mark, Inc.	\$132,936.90

WHEREAS, the Engineer's Estimate for the project was \$161,547.35 the low bidder's base bid was 17.8% below that amount. 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 Dura Mark, Inc. be considered the lowest and best bid for the 2019 Pavement Marking Program; and

WHEREAS, Council finds that it is in the best interest of the health, safety and welfare of the Community that the City Administration go forward with the following: awarding a bid for the 2019 Pavement Marking Program as referenced above.

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 August 1, 2019 for the 2019 Pavement Marking Program, the bid submitted by Dura Mark, Inc. in the amount of One Hundred Thirty Two Thousand Nine Hundred Thirty Six and 90/100 Dollars (\$132,936.90) 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 Street Department Fund No. 201 and the State Highway Fund No. 205. If necessary, the Finance Director is further authorized to transfer sufficient funds from the General Fund No. 101 to the Street Department

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Fund No. 201. In addition, the Finance Director is authorized to increase this appropriation by a reasonable amount for engineering and legal fees associated with the 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 2019 Pavement Marking Program 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