

ORDINANCE NO. 50-20

**AN ORDINANCE TO AWARD THE BID FOR THE ELIZABETH AVENUE,
JOSEPH STREET, PUTH DRIVE AND DETROIT ROAD
SANITARY SEWER IMPROVEMENT PROJECT, PHASE 2
AND DECLARING AN EMERGENCY**

WHEREAS, City Council, pursuant to Resolution R-9-20, passed on March 9, 2020, authorized advertising for public bids to provide for and improve sanitary sewer service to the property owners along and in the vicinity of Elizabeth Avenue, Joseph Street, Puth Drive as well as Detroit Road from 34008 Detroit Road to 34901 Detroit Road by the construction of an approximately six thousand one hundred (6,100) foot sanitary sewer system, improvements of certain water distribution systems and augmentation of various storm sewer systems, together with all necessary appurtenances and related improvements thereto, as more particularly described below (the “Improvements”); and

WHEREAS, Avon City Council passed a Resolution of Necessity on September 9, 2019 known as Resolution R-22-19 related to said Improvements; and

WHEREAS, the public bids were opened and read aloud at noon on April 23, 2020 at the Avon Isle Community Center and the following bids were received:

Contractor	Bid Total
Underground Utilities, Inc.	\$2,872,354.25
DiGioia Suburban Excavating, LLC	\$3,057,977.51
Fabrizi Trucking & Paving Company	\$3,155,437.39
Catts Construction, Inc.	\$3,305,889.65
Mr. Excavator, Inc.	\$3,452,302.30
Trax Construction Company	\$3,484,654.90

WHEREAS, The Engineer’s Estimated cost for the project was set at \$3,339,460. As such, the bid submitted by Underground Utilities, Inc. is approximately 14% less than 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 Underground Utilities, Inc. be considered the lowest and best bid for the Elizabeth Avenue, Joseph Street, Puth Drive and Detroit Road Sanitary Sewer Improvement Project, Phase 2; and

WHEREAS, Council finds that it is in the best interest of the health, safety and welfare of the citizens of Avon that the City go forward and award a construction contract based on the public bid submitted by Underground Utilities, Inc. for the Elizabeth Avenue, Joseph Street, Puth Drive and Detroit Road Sanitary Sewer Improvement Project, Phase 2

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

Section 1 - That the bid submitted by Underground Utilities, Inc. in the amount of in the amount of Two Million, Eight Hundred Seventy Two Thousand, Three Hundred Fifty Four and 25/100 Dollars (\$2,872,354.25) is hereby 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 Elizabeth, Puth, Joseph Sanitary Sewer Project Fund, Fund No. 436. 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 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 Elizabeth Avenue, Joseph Street, Puth Drive and Detroit Road Sanitary Sewer Improvement Project, Phase 2 prior to the end of the 2021 construction season; therefore, this ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____ DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director

Ordinance No. 50-20 (Con't.)

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places, as
Provided by Council

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