

ORDINANCE NO. 123-22

**AN ORDINANCE TO AWARD A BID FOR THE SR 83 GROUND
STORAGE WATER TANK REPAINTING PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, to provide for the long-term maintenance and structural integrity of the existing 450,000 Gallon Ground Storage Water Tank along State Route 83 (Center Road) the Avon Utility Department has identified a need to address interior and exterior surface conditions at said tank; and

WHEREAS, the Avon Utility Department has contracted with GRW Engineering (GRW) from Lexington, Kentucky to evaluate both the interior and exterior surface conditions of the existing ground storage tank and make recommendations for their improvement; and

WHEREAS, GRW has prepared a contract specification and document package for the public advertisement and bidding of a repainting project that will include the removal of the current interior surface coatings, apply new interior coatings, thoroughly clean the exterior coating, and the overcoat of the exterior surfaces; and

WHEREAS, Avon City Council passed Resolution R-29-22 on September 26, 2022, which authorized the public bid of said project known as the SR 83 450,000 Gallon Water Tank Repaint; and

WHEREAS, the public bids were opened and read aloud at noon on October 27, 2022, at Avon City Hall. The following bids were received:

Contractor	Base Bid Total
Seven Brothers Painting, Inc.	\$194,100.00
Worldwide Industries	\$226,380.00
E & L Contractors, Inc.	\$247,000.00
Viking Painting, LLC	\$247,100.00
D & M Painting Corporation	\$262,465.00
Central Painting & Sandblasting, Inc.	\$265,000.00
Inspec Coating, Inc.	\$265,000.00
Utility Service Co., Inc.	\$284,100.00

WHEREAS, the Engineer's Estimated cost for the project established by GRW Engineering prior to the bid opening was \$300,000.00. As such, the bid submitted by Seven Brothers Painting, Inc. is approximately 35.3% less than the Engineer's Estimate. A copy of the bid tabulation and reference check information is attached hereto within [Exhibit A](#); and

WHEREAS, GRW Engineering has reviewed each of the bids submitted, spoke with industry references, and is recommending that the bid submitted by Seven Brothers Painting, Inc. be considered the lowest and best bid for the SR 83 450,000 Gallon Water Tank Repaint Project, a bid review memorandum is also attached hereto as part of Exhibit A; 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 of a construction contract based on the public bid submitted by Seven Brothers Painting, Inc. for the SR 83 450,000 Gallon Water Tank Repaint Project, which was received on October 27, 2022.

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 the bids received on October 27, 2022 at Avon City Hall for the SR 83 450,000 Gallon Water Tank Repaint Project, the bid submitted by Seven Brothers Painting, Inc. in the amount of One Hundred Ninety-Four Thousand One Hundred and 00/100 Dollars (\$194,100.00) for the SR 83 450,000 Gallon Water Tank Repaint Project is declared to be the lowest and best bid. The Mayor is hereby authorized to execute a construction contract with that entity. The Finance Director is hereby authorized to make payment in said amount from the Capital Improvements – Water Fund No. 303. 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 award the SR 83 450,000 Gallon Water Tank Repaint Project and allot the contractor the maximum amount of time to complete workforce scheduling and materials supply logistics in advance of the 2023 construction season and thus undertake the project at the earliest possible time that weather conditions will allow; 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

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

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