

ORDINANCE NO. 9-23

**AN ORDINANCE TO AWARD THE PUBLIC BID FOR THE PURCHASE
AND INSTALLATION OF TWO NEW HVAC SYSTEMS AT 2009 BASEBALL
BOULEVARD, (MERCY HEALTH STADIUM)
AND DECLARING AN EMERGENCY**

WHEREAS, the Administration, together with Blue Dog Baseball, LLC, determined that it was necessary to advertise for bids to purchase equipment and installation services to replace two HVAC systems that serve the main office area and the spectator suites for the Mercy Health Stadium located at 2009 Baseball Boulevard in the City of Avon prior the start of the 2023 baseball season in May; and

WHEREAS, Council passed Resolution R-6-23 on January 23, 2023 which authorized the seeking of public bids to purchase and install the improvements to the Mercy Health Stadium based on the plans and specifications on file with the City Safety Director; and

WHEREAS, the public bids were opened and read aloud at noon on February 9, 2023 at Avon City Hall. The bids received were as follows:

<u>COMPANY</u>	<u>BID</u>
Gem	\$315,152.00
Westland HVAC	\$255,000.00
Calvary	\$289,000.00

WHEREAS, The Engineer's Estimate is \$350,000. As such, the bid submitted by Westland HVAC is below the Engineer's Estimate. A copy of the bid tabulation is attached hereto as [Exhibit A](#); and

WHEREAS, the Safety Director has reviewed each of the bids submitted and is recommending that the bid submitted by Westland HVAC be considered the lowest and best bid for the purchase and installation of two HVAC systems for Mercy Health Stadium located at 2009 Baseball Boulevard; 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 awarding the bid for a construction contract to complete the purchase and installation of two HVAC systems for Mercy Health Stadium based upon the public bids received on February 9, 2023.

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 February 9, 2023 for the purchase and installation of two HVAC systems to occur at Mercy Health Stadium, 2009 Baseball Boulevard, the bid submitted by Westland HVAC in the amount of Two Hundred Fifty-Five Thousand and 00/100 Dollars (\$255,000.00) is declared to be the lowest and best bid and the Mayor is hereby

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authorized to execute a construction contract with that entity. The Finance Director is hereby authorized to make payment from the General Fund No. 101-760-5363. 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 complete the purchase and installation of two HVAC systems at Mercy Health Stadium prior to the start of the 2023 baseball season in May; this resolution 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

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POSTED: _____
Electronically and at City Hall as
Provided by Council

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