

ORDINANCE NO. 63-23

**AN ORDINANCE TO APPROVE A CONSTRUCTION CONTRACT
CHANGE ORDER FOR THE CHERRY STREET, PEAR STREET, WILLO ROAD,
& JENNIE STREET PAVEMENT RESURFACING PROJECT FOR THE
PERFORMANCE OF ASPHALT RESURFACING ON CERTAIN PORTIONS
OF CARLEEN AVENUE AND OLD COLORADO AVENUE
AND DECLARING AN EMERGENCY**

WHEREAS, Avon City Council passed Ordinance No. 33-23 on February 27, 2023, which authorized the award of a construction contract in the amount of \$350,718.50 to the Barbicas Construction Company, Inc. for the Cherry Street, Pear Street, Willo Road, & Jennie Street Resurfacing Project; and

WHEREAS, due primarily to normal wear and tear and increased traffic, the Avon Service Department has deemed it necessary to plane, repair, and resurface the asphalt pavement within certain portions of Carleen Avenue and Old Colorado Avenue, as depicted on the attached Exhibit A, during the 2023 construction season; and

WHEREAS, the Avon Service Department has consulted with the Barbicas Construction Company, Inc. and verified that said company is willing to undertake the Carleen Avenue and Old Colorado Avenue asphalt resurfacing work under the same contract specifications and at the same unit prices as is part of its current contract for the Cherry Street, Pear Street, Willo Road, & Jennie Street Asphalt Resurfacing project; and

WHEREAS, the City Engineer has formulated an estimate of additional cost, based on the previously established contract unit rates, to perform the additional work on Carleen Avenue and Old Colorado Avenue that totaled to \$163,320.50, as shown on the attached Exhibit B; and

WHEREAS, the revised contract amount for the Cherry Street, Pear Street, Willo Road, & Jennie Street Asphalt Resurfacing Project would increase from \$350,718.50 to \$514,039.00; and

WHEREAS, Council finds that it is in the best interest of the health, safety, and welfare of the Community that the City amend the construction contract with Barbicas Construction Company, Inc. via the approval of a Change Order for the Cherry Street, Pear Street, Willo Road, & Jennie Street Resurfacing Project to increase the contract amount from \$350,718.50 to \$514,039.00 so to include the planing, repairing, and asphalt resurfacing of certain areas of Carleen Avenue and Old Colorado Avenue as detailed on the attached Exhibit A & Exhibit B and as directed by the City Engineer.

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

Section 1 – The City Administration is recommending that certain areas of Carleen Avenue and Old Colorado Avenue, as detailed on the attached Exhibit A & Exhibit B, be improved as described herein and as directed by the City Engineer. Such work shall be undertaken via a Change Order to amend the contract documents for the Cherry Street, Pear Street, Willo Road, & Jennie Street Resurfacing Project to increase the total contract amount from \$350,718.50 to \$514,039.00.

Section 2 – That Council authorizes the Change Order to amend the construction contract with Barbicas Construction Company, Inc. for the Cherry Street, Pear Street, Willo Road, & Jennie Street Resurfacing Project to increase the total contract amount from \$350,718.50 to \$514,039.00 based on unit prices as established in the public bid submitted by the same. The Finance Director is hereby authorized to reappropriate the funds required to meet the financial obligation of this Change Order. (See Ordinance No. 61-23)

Section 3- 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 4- 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 include additional work associated with certain areas of Carleen Avenue and Old Colorado Avenue to the Cherry, Pear, Willo and Jennie Project during the 2023 construction season; therefore, this resolution shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: April 24, 2023 DATE SIGNED: April 24, 2023

By: Brian Fischer
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: April 25, 2023

Bryan K. Jensen
Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior
John A. Gasior, Law Director

ATTEST:

Barbara Brooks
Barbara Brooks, Clerk of Council

POSTED: April 26, 2023
Electronically and at City Hall
Provided by Council

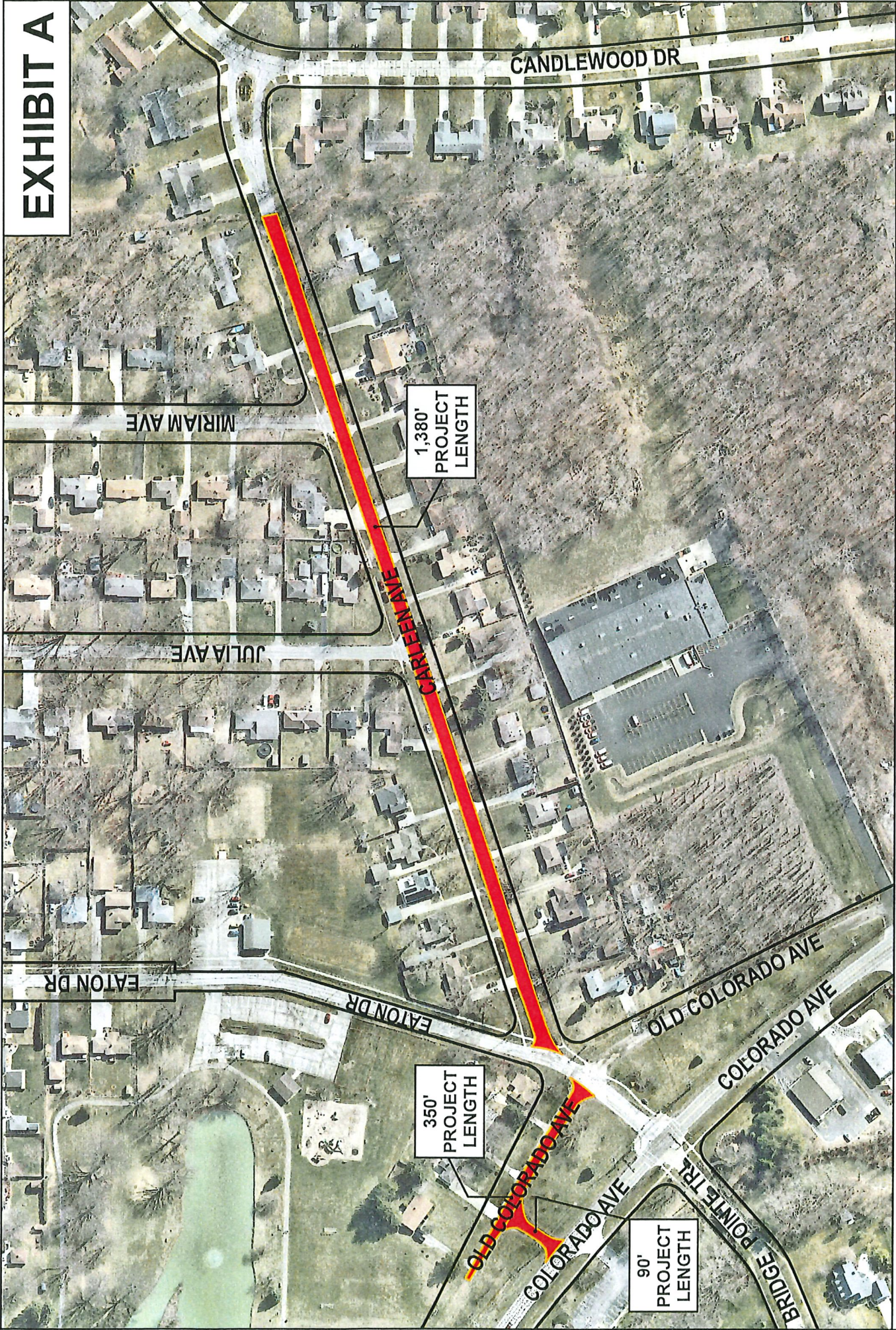
Prepared By:
John A. Gasior, Esq.
Law Director

I, Barbara J. Brooks, Clerk of the Council of the City of Avon, Ohio, hereby certify this document to be a true and exact copy of Ordinance No. 63-23, passed by the Council of said City on April 24, 2023.

IN WITNESS WHEREOF, I have on this 25th day of April, 2023, affixed my signature and official seal.


Barbara J. Brooks, Clerk of the Council
of the City of Avon, Ohio

EXHIBIT A



**CARLEEN AVENUE AND OLD COLORADO AVENUE
ADDITIONAL RESURFACING AREAS**

PROPOSAL**Barbicas Paving LLC**

124 Darrow Road, Suite 1a Akron, Ohio 44305

Phone (330) 733-9101 Fax (330) 733-9051

To: Estimating Department

Signatory Union - Labor / Operator

Job Name: Carleen Ave

Proposal Date: April 20, 2023

Revision:

Estimator: Jared Giles

SALES TAX NOT INCLUDED

Carleen Avenue - Project Length 1,380 feet

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
60	251 Partial Depth	100.00	SY	\$25.00	\$2,500.00
80	254 Pavement Planing, Asphalt 2.25"	3,488.00	SY	\$5.00	\$17,440.00
110	441 Surface, Type 1, (448), PG 64-22, 1.5"	146.00	CY	\$300.00	\$43,800.00
120	441 Intermediate, Type 1, (448), .75"	73.00	CY	\$300.00	\$21,900.00
150	Maintaining Traffic	1.00	LUMP	\$3,000.00	\$3,000.00
190	Mobilization	1.00	LUMP	\$11,000.00	\$11,000.00
GRAND TOTAL					\$99,640.00

NOTES:

*PRICING IS BASED ON 2023 PAVEMENT INSTALLATION.

*INVOICING WILL REFLECT FIELD VERIFIED QUANTITIES.

*BASED ON 1 MOBILIZATION.

*QUOTE VALID FOR 7 DAYS WITHOUT WRITTEN PURCHASE ORDER/EXECUTED CONTRACT.

EXCLUSIONS:(unless specified above)LAY-OUT, ENGINEERING, TESTING, SUB BOND, PERMITS & FEES, TEMPORARY WATER, BACKFILL OF CURBS, RE-ESTABLISHMENT OF VEGETATION, RELOCATION OF EXISTING UTILITIES, PATCHING, HERBICIDE, PRIME COAT, SIGNS and/or WHEEL STOPS.

-BARBICAS PAVING LLC WILL NOT PAVE AFTER OCTOBER 31st OF ANY SEASON WITHOUT RENEGOTIATED TERMS AND/OR CONDITIONS.

BARBICAS PAVING LLC IS AN EQUAL OPPORTUNITY EMPLOYER

Additional Items for Carleen Avenue

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
60	251 Partial Depth (Additional 7% for a total of 10%)	248.00	SY	\$25.00	\$6,200.00
	253 Full Depth Asphalt Repair (10%)	348.00	SY	\$48.00	\$16,704.00
	Linear Grading	2070.00	LF	\$0.75	\$1,552.50
	Pavement Markings (Stop Line & Cross Walk Line)	1.00	LUMP	\$500.00	\$500.00

SUB TOTAL \$24,956.50

GRAND TOTAL - CARLEEN AVENUE \$124,596.50

Old Colorado Avenue - Project Lengths 90 feet & 350 feet

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
60	251 Partial Depth (10%)	95.00	SY	\$25.00	\$2,375.00
	253 Full Depth Asphalt Repair (10%)	95.00	SY	\$48.00	\$4,560.00
80	254 Pavement Planing, Asphalt 2.25"	950.00	SY	\$5.00	\$4,750.00
110	441 Surface, Type 1, (448), PG 64-22, 1.5"	40.00	CY	\$300.00	\$12,000.00
120	441 Intermediate, Type 1, (448), .75"	20.00	CY	\$300.00	\$6,000.00
150	Maintaining Traffic	1.00	LUMP	\$1,000.00	\$1,000.00
190	Mobilization	1.00	LUMP	\$4,000.00	\$4,000.00
	Linear Grading	772.00	LF	\$0.75	\$579.00
	Shoulder Preparation	172.00	SY	\$5.00	\$860.00
	Compacted Aggregate	30.00	CY	\$70.00	\$2,100.00
	Pavement Markings (Stop Line & Cross Walk Line)	1.00	LUMP	\$500.00	\$500.00

GRAND TOTAL - OLD COLORADO AVENUE \$38,724.00

GRAND TOTAL - CARLEEN AVENUE & OLD COLORADO AVENUE \$163,320.50