

RESOLUTION NO. R-33-19

**A RESOLUTION TO RE-ADVERTISE FOR PUBLIC BID THE
BRIAR LAKES PUMP STATION ABANDONMENT PROJECT
AND DECLARING AN EMERGENCY**

WHEREAS, Council, pursuant to Resolution R-15-19, passed on May 20, 2019, advertised for bids to construct the Briar Lakes Pump Station Abandonment Project; and

WHEREAS, the Engineer's Estimated cost for the project was \$1,013,450; and

WHEREAS, two bids were received with the lowest bid being submitted by Mr. Excavator, Inc. at 37.4% above the Engineer's Estimate.

WHEREAS, pursuant to Ohio Revised Code §153.12, City Council rejected both bids (See, Ord. No. 108-19); and

WHEREAS, Council remains committed to providing and improving sanitary sewer service to the property owners along French Creek Road from 38151 French Creek Road to 37556 French Creek Road, to connecting an existing sanitary sewer along Century Lane south of Detroit Road beginning near 37889 Detroit Road to an existing sanitary sewer system along Century Lane north of Detroit Road near 3004 Century Lane and removing from service an existing outdated sanitary sewerage pump station and associated force main on French Creek Road; and

WHEREAS, the City Engineer in conjunction with Chagrin Valley Engineering, Ltd. has prepared revised plans and specifications for said French Creek & Century Lane Improvements; and

WHEREAS, City Council finds that it is in the best interest of the health, safety and welfare of the Community that the City Engineer go forward with re-advertising for public bids to complete the Briar Lakes Pump Station Abandonment Project.

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

Section 1 - That the Clerk of Council is hereby authorized and directed to re-advertise for public bids for the completion of public improvements within the City of Avon, to wit: Improvements to be known as the Briar Lakes Pump Station Abandonment Project with all appurtenances thereto, pursuant to revised plans and specifications prepared by the City Engineer in conjunction with Chagrin Valley Engineering, Ltd. currently on file at that office and in the office of the Clerk of Council.

Section 2 - That the City shall reserve the right to reject any and all bids.

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 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 4 - That this Resolution 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 re-advertise for bids for the Briar Lakes Pump Station Abandonment Project in order to facilitate substantial completion prior to the end of 2020 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