

**RESOLUTION NO. R-39-22**

**A RESOLUTION TO READVERTISE FOR BIDS FOR THE  
MAIN STREET & MIDDLE ROAD PAVEMENT RESURFACING PROJECT  
AND DECLARING AN EMERGENCY**

**WHEREAS**, due primarily to normal wear and tear and increased traffic, it is necessary for the City to repair and improve the public portion of Main Street & Middle Road at certain locations within the municipality during the current construction season; and

**WHEREAS**, City officials have determined that Main Street & Middle Road will be improved as recommended by the City Engineer in conjunction with the Streets Superintendent in the area between the Chester Road & Middle Road intersection to the south and the Main Street & Center Road (State Route 83) intersection to the north as a project known as the Main Street & Middle Road Resurfacing Project; and

**WHEREAS**, the Main Street & Middle Road Resurfacing Project was placed out to bid in 2022 but the bids were ultimately rejected by City Council with passage of Ordinance No. 88-22 on June 27, 2022; and

**WHEREAS**, since the rejection of the initial bids by Ordinance No. 88-22 the project plans and cost estimation have subsequently been revised by the City Engineer to include work occurring during normal daytime construction work hours and current economic market conditions; 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 readvertising for public bids to complete the Main Street & Middle Road Resurfacing 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 readvertise for public bids for the completion of the following: Removal of the top portion of the existing asphalt surface, partial and full depth pavement repairs at locations determined by the City Engineer, asphalt pavement resurfacing, reinstallation of impacted pavement markings, maintenance of traffic, and associated restoration. These improvements shall be made pursuant to plans and specifications developed by the City Engineer and Chagrin Valley Engineering, Ltd. which shall be on file and open for inspection at the Office of the Clerk of Council and incorporated herein by reference.

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 readvertise for bids for the Main Street & Middle Road Pavement Resurfacing Project in order to facilitate completion prior to the end of 2023 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: \_\_\_\_\_  
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: \_\_\_\_\_  
Electronically and at City Hall  
As provided by Council

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