

DAVID A. REICHEL  
President of Council

NANCY E. FELLOWS  
Vice President of Council

VICTORIA ANN SAVAGE, CMC  
Clerk of Council

# City of Willoughby Hills

*Council*  
CHRISTOPHER L. BIRO  
NANCY E. FELLOWS  
FRANK A. GERMANO  
DAVID A. REICHEL  
RAYMOND C. SOMICH

## ORDINANCE NO. 2013-26

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### **AN ORDINANCE ACCEPTING THE BID OF CARRON ASPHALT PAVING, INC. OF SOLON, OHIO FOR THE MAPLE GROVE ROAD PAVEMENT IMPROVEMENTS AND DECLARING AN EMERGENCY.**

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**WHEREAS**, the Council of the City of Willoughby Hills on April 25, 2013 by motion, granted the Mayor authorization to advertise for bids for the Maple Grove Road Pavement Improvements; and

**WHEREAS**, The bid opening for the Maple Grove Road Pavement Improvements occurred on Thursday, May 23, 2013 at 11:00am at City Hall in Council Chambers; and

**WHEREAS**, the City received the following three (3) bids: (1) a bid in the amount of \$152,568.14 from Ronyak Paving, Inc., (2) a bid in the amount of \$158,939.28 from Specialized Construction, Inc., and (3) a bid in the amount of \$147,728.88 from Carron Asphalt Paving, Inc.; and

**WHEREAS**, the *Engineer's Opinion of Probable Cost for Construction* was \$169,894.80; and

**WHEREAS**, after extensive review and verification of the submitted bids, Richard L. Bowen + Associates, Inc. recommends Carron Asphalt Paving, Inc., who is qualified to perform the work, the award of the lowest and best bid of \$147,728.88; and

**WHEREAS**, the Finance Director has verified that the 2013 Operating Budget for the Road Levy SR Fund No. 270 includes a budget of \$165,000 for construction of the Maple Grove Road Pavement Improvements therefore, the Engineer's recommended award to Carron Asphalt in the amount of \$147,728.88 is well within the 2013 Operating Budget and there is no budgetary reason not to award this contract; and

**WHEREAS**, the Finance Director further established that the Maple Grove Road Pavement Improvements is being funded on a 50/50 basis by a Grant from the Ohio Public Works Commission and the Road Levy SR Fund No. 270; and

**WHEREAS**, based upon the information provided by the Finance Director and the Memorandum of Daniel J. Collins, P.E., Assistant City Engineer, dated May 30, 2013 regarding the Maple Grove Recommendation of Contract Award along with the complete "Official" Bid Tabulation for the Maple Grove Road Pavement Improvements Project, attached hereto as Exhibit "A", consisting of eleven (11) pages and incorporated herein by reference, the Council of the City of Willoughby Hills accepts the lowest and best bid of \$147,728.88 as submitted by Carron Asphalt Paving, Inc.

***NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:***

**SECTION 1.** The Mayor is hereby authorized and directed to accept the bid of \$147,728.88 and thereby enter into a contract with Carron Asphalt Paving, Inc. of 7615 Bond Street, Solon, Ohio 44139 for the Maple Grove Road Pavement Improvements.

**SECTION 2.** Any and all charge orders shall be approved by the legislative authority prior to any work being performed.

**SECTION 3.** The Director of Finance is authorized and directed to return the bid bonds to all unsuccessful bidders.

**SECTION 4.** The actions of this Council concerning and relating to the passage of this legislation were conducted in lawful meetings of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in compliance with all legal requirements including Chapter 107 of the Codified Ordinances of the City of Willoughby Hills.

**SECTION 5.** This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of a Municipal Department; to wit: due to the time sensitivity of the project which requires the City to immediately proceed with the Maple Grove Road Pavement Improvements; wherefore this Ordinance shall be in full force and effect from and after its adoption and approval by the Mayor.

PASSED: June 3, 2013

Submitted to the Mayor for his approval on this 3 day of June, 2013

ATTEST: Victoria Ann Savage  
Victoria Ann Savage, CMC  
Clerk of Council

David A. Reichelt  
David A. Reichelt  
President of Council

Approved by the Mayor  
June 3, 2013

Robert M. Weger  
Robert M. Weger  
Mayor