

AN ORDINANCE AWARDING A CONTRACT FOR THE INSTALLATION OF SIDEWALKS
AND DECLARING AN EMERGENCY.

WHEREAS, Section 59 of the Avon Lake Charter, entitled Competitive Bidding, authorizes the awarding of contracts under \$50,000 without public bidding; and

WHEREAS, the Public Works Director has solicited quotations to install sidewalks on City-owned sidewalks and two privately owned properties located at 33126 Walker Road and 33380 Walker Road; and

WHEREAS, Council coming now to consider said quotations has determined that the quotation submitted by T. Kendera Concrete, LLC of Avon Lake, Ohio, is the best responsive quotation and is acceptable to this Council.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the quote by T. Kendera Concrete, LLC of Avon Lake, Ohio (hereafter referred to as "Contractor") for the installation of sidewalks on City-owned properties and two privately-owned properties at 33126 Walker Road and 33380 Walker Road, be and the same is hereby awarded to said Contractor in accordance with said plans and specifications and bid received. The total amount of said contract is in the amount of \$39,512.

Section No. 2: That the Contractor shall furnish his good and sufficient performance bond in the amount of \$39,512 to the satisfaction of the Mayor and approved as to form by the Director of Law, conditioned to insure faithful performance of the contract thereby awarded and completion of the work free and clear of all claims and encumbrances.

Section No. 3: That the Contractor shall deposit and keep in force and effect on file with said Director of Finance memoranda of policies of insurance in the amounts and under the conditions set forth in the specifications of the contract documents.

Section No. 4: That upon receipt by the Director of Finance of the certificate of the Public Works Director that the construction has been completed to the full satisfaction of the Public Works Director and in accordance with the plans and specifications, then the Director of Finance shall be authorized and directed to issue to said Contractor the warrants of the City in payment therefore the amount of money determined by said Public Works Director to be due said Contractor under the contract thereby awarded to him and to cause said warrants to be paid.

Section No. 5: That the Mayor shall be, and he is hereby authorized and directed to sign and execute the contract hereby awarded.

Section No. 6: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such 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 No. 7: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of installing sidewalks for pedestrian travel along City streets, thus for the public health, safety, and welfare. Therefore, this Ordinance shall be in full force and effect from and after its passage and approval by the Mayor.

PASSED: 4/11/2022

/s/ Martin E. O'Donnell

President of Council

POSTED: 4/12/2022

APPROVED: 4/15/2022

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor