

AN ORDINANCE AWARDING A CONTRACT FOR THE MILLER ROAD PARK SAND DREDGING PROJECT TO NGW INDUSTRIAL LLC AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with the direction of Council, the City Engineer has prepared plans and specifications for the Miller Road Park Sand Dredging Project, which have been and are now on file in the Public Works Department; and

WHEREAS, further in accordance with the direction of Council, the City Engineer has caused notice to be given inviting bids for said improvement, and bids having been received, opened, and tabulated, as provided by law; and

WHEREAS, Council, coming now to consider said bids, has determined that the bid submitted by NGW Industrial LLC of Sheffield Village, Ohio, is the lowest and best responsive bid after advertising, in accordance with Ohio Revised Code, 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 bid by NGW Industrial LLC, of Sheffield Village, Ohio, (hereafter referred to as "Contractor") for the Miller Road Park Sand Dredging Project for the City of Avon Lake, Ohio, in accordance with the plans and specifications prepared by the City Engineer be, and the same is hereby awarded to said Contractor in accordance with said plans and specifications and the bid received. The total amount of said contract is in the sum of \$73,415.

Section No. 2: That the Contractor shall furnish his good and sufficient performance bond in the amount of \$73,415 to the satisfaction of the Mayor and approved as to form by the Law Director, 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 the Finance Director 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 Finance Director of the certificate of the Public Works Director that the project has been completed to his full satisfaction and in accordance with the plans and specifications, the Finance Director shall be authorized and directed to issue to Contractor the warrants of the City in payment of the amount due the Contractor, as determined by the Public Works Director, according to the terms of the contract.

Section No. 5: That the Mayor shall be and 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 taken 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 dredging the sand from the boat launch area at Miller Road Park before the fish spawning season and the upcoming boating season, to ensure safe boating, thus for the public health, safety, and welfare. Therefore, this Ordinance shall go into immediate force and effect from and after its passage and approval by the Mayor.

PASSED: 3/10/2025

/s/ Jennifer G. Fenderbosch
Council President

POSTED: 3/14/2025

APPROVED: 3/11/2025

ATTEST: /s/ Valerie E. Rosmarin
Clerk of Council

/s/ Mark A. Spatzel
Mayor