

AN ORDINANCE AWARDING A CONTRACT FOR THE WALKER ROAD PAVING PROJECT, PHASE 5, AND DECLARING AN EMERGENCY.

WHEREAS, in accordance with the direction of Council, the City Engineer has prepared plans and specifications for the Walker Road Paving Project, Phase 5, 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, as provided by law, inviting bids for construction of said improvements; 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 Gerken Paving, Inc., DBA Precision Paving, Inc., of Milan, Ohio, is the lowest and best responsive bid, after advertising in accordance with law, 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 Gerken Paving, Inc., DBA Precision Paving, Inc., of Milan, Ohio, (hereafter referred to as "Contractor") for the Walker Road Paving Project, Phase 5, for the City, in accordance with the plans and specifications, 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 sum of \$2,089,403.31 with an Alternate 1 bid of \$72,179.50.

Section No. 2: That the Contractor shall furnish their good and sufficient performance bond in the amount of \$2,089,403.31 with an Alternate 1 bid of \$72,179.50 to the satisfaction of the Finance Director 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 said 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 City Engineer that the construction has been completed to the full satisfaction and in accordance with the plans and specifications, the Finance Director 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 Department to be

due to said Contractor under the contract thereby awarded to them and to cause said warrants to be paid.

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 passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees which resulted in such formal action 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 resurfacing Walker Road to provide safe travel on this busy road, thus for the public health, safety, and welfare. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: 7/14/2025

/s/ Jennifer G. Fenderbosch
Council President

POSTED: 7/18/2025

APPROVED: 7/15/2025

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

/s/ Mark A. Spratzel
Mayor