

RESOLUTION NO.: 2022-R21
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: MARCH 22, 2022

ASSIGNED TO: _____

A RESOLUTION AUTHORIZING THE CITY OF GREEN TO ENTER INTO A CONTRACT WITH MARKS CONSTRUCTION INC. FOR THE DEVELOPMENT OF RECTANGULAR ALL-PURPOSE YOUTH SPORT FIELDS, AND THE CONSTRUCTION OF ADA COMPLIANT WALKWAYS WITHIN ARISS PARK, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Green desires to expand youth sport facilities, activities, and improve ADA accessibility within Ariss Park; and

WHEREAS, the City of Green advertised a “Notice to Bidders” in the Akron Beacon Journal on Thursday, February 17, 2022; and, Thursday, February 24, 2022 for the Ariss Park Improvements Project (“Project”); and

WHEREAS, on Wednesday, March 9, 2022, the City Engineer opened bids for the Project; and

WHEREAS, the City’s contract requires bidders submit their bid guaranty and contract bond prior to the time and date of the bid opening; and

WHEREAS, Cavanaugh Building Corporation has been deemed unresponsive due to a failure to comply with all bid submittal requirements; and

WHEREAS, the City Engineer has reviewed the remaining bids and recommends the contract be awarded to Marks Construction Inc. as the lowest and best bidder for the Project in the amount of Three Hundred Eighty-Five Thousand Three Hundred Twenty-Nine Dollars and Eighty-Six Cents (\$385,329.86).

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT, AND STATE OF OHIO THAT:

SECTION ONE:

The City received and opened the following bids on March 9, 2022:

<u>CONTRACTOR</u>		<u>BID</u>
1. Cavanaugh Building Corporation 1744 Collier Road Akron, OH 44320	Bid	\$313,200.00
2. Marks Construction Inc. 5855 Center Road Valley City, OH 44280	Bid	\$385,329.86
3. Lockhart Concrete Co. 800 West Waterloo Road Akron, OH 44314	Bid	\$388,534.00

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4. Vizmeg Landscape Inc. 778 McCauley Road Stow, OH 44224	Bid	\$397,053.50
5. United Earthworks LLC P.O. Box 124 Deerfield, OH 44411	Bid	\$404,258.65
6. Tucson Inc. University Drive NE New Philadelphia, OH 44663	Bid	\$405,072.80
7. Wolf Creek Contracting 403 Watertown Road Waterford, OH 45785	Bid	\$420,820.17
8. Northeast Ohio Trenching Service Inc. 17900 Miles Road Warrensville Heights, OH 44128	Bid	\$463,907.00
9. Ohio Paving & Construction Co., Inc. 38220 Willoughby Parkway Willoughby, OH 44094	Bid	\$464,079.57
10. Wenger Excavating Inc. P.O. Box 499 Dalton, OH 44618	Bid	\$547,235.98

SECTION TWO:

Green City Council finds, based on all relevant factors, that Marks Construction Inc. with its total bid of Three Hundred Eighty-Five Thousand Three Hundred Twenty-Nine Dollars and Eighty-Six Cents (\$385,329.86), is the lowest and best bidder for the Project and agrees to comply with all specifications.

SECTION THREE:

The Mayor is authorized and directed to enter into a Contract with Marks Construction Inc. for the Project. The Finance Director is authorized to make payments to Marks Construction Inc. through the established purchase order procedure.

SECTION FOUR:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this 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.

SECTION FIVE:

Green City Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and so that the Project may proceed immediately and forthwith. Provided that this legislation receives the affirmative vote of three-fourths ($\frac{3}{4}$ ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____

Nichole Messner, Clerk of Council

Dave France, Council President

APPROVED: _____, 2022

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2022

ON ROLL CALL: Babbitt _____ Brandenburg _____ DeVitis _____ France _____

Noble _____ Meager _____ Yeargin _____

Southside Leader publication on _____ and _____

Nichole Messner, Clerk of Council