

(Mayor Potter)

**CITY OF KIRTLAND**

**RESOLUTION NUMBER 21-R-38**

**A RESOLUTION ACCEPTING THE BID OF SPECIALIZED CONSTRUCTION, INC., AWARDING SECTIONS I THROUGH IIA OF THE 2021 PAVEMENT REHABILITATION PROJECT, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kirtland has a duty to maintain public streets and roads within its municipal boundaries; and

**WHEREAS**, the City of Kirtland recently passed 21-O-17 to issue bonds in the amount of \$2,000,000 for the purpose of paying costs of improving streets by reconstructing, resurfacing, grading, draining, paving, and other improvements;

**WHEREAS**, the City of Kirtland has since received those funds as authorized in 21-O-17 and has deposited them into the Street Improvement Fund; and

**WHEREAS**, the City Engineer and Director of Public Service have outlined various potential projects as outlined in its 2021 Pavement Rehabilitation Project; and

**WHEREAS**, the City of Kirtland, in compliance with all bidding requirements as found in the Ohio Revised Code, solicited bids for said potential paving projects; and

**WHEREAS**, the City Engineer unsealed and opened various bids relative to the 2021 Pavement Rehabilitation Project on June 4, 2021, has reviewed said bids, and has made a recommendation for approval; and

**IT IS HEREBY RESOLVED** by the Council of the City of Kirtland, County of Lake and State of Ohio, that:

**SECTION I:** It is hereby determined that the bid of Specialized Construction, Inc., of Cuyahoga Heights, Ohio, is the lowest and best bid to perform Sections I, IA, II, and IIA of the 2021 Pavement Rehabilitation Project. The City of Kirtland hereby accepts the bid of Specialized Construction, Inc. for the completion of this project in an amount not to exceed \$1,906,179.95, of which \$1,880,079.95 is allocated towards the line items bid and \$26,100.00 is allocated towards the good faith estimate of construction inspection.

**SECTION II:** The Mayor or his designee is hereby authorized and directed to enter into a contract or execute any purchase orders in the furtherance of this Resolution, including but not limited to a Form of Contract which is attached hereto and incorporated herein as Exhibit A.

**SECTION III:** The Director of Finance is authorized and instructed to issue such vouchers and expend all funds necessary in the furtherance of this Resolution. Said payments shall be made from the Street Improvement Fund. However, any expenditures beyond the original bid of \$1,880,079.95 for the line items bid and \$26,100.00 for the good faith estimate of construction inspection shall be subject to further authorization by this Council.

**SECTION IV:**

(a) It is found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were passed in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that 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.

(b) This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City, and for the further reason that it is necessary to maintain the streets and roads of the City; therefore, this resolution shall be in full force and effect immediately upon its passage by the affirmative vote of five (5) members of Council and approval by the Mayor, otherwise this resolution shall be in effect from and after its adoption at the earliest period allowed by law.

First Reading: \_\_\_\_\_  
Second Reading: \_\_\_\_\_  
Third Reading: \_\_\_\_\_

DATE PASSED: \_\_\_\_\_

\_\_\_\_\_  
President of Council

Submitted to the Mayor for his  
Approval on this \_\_\_\_\_ day of  
\_\_\_\_\_, 2021.

ATTEST:

Approved by the Mayor on this \_\_\_\_\_  
day of \_\_\_\_\_, 2021.

\_\_\_\_\_  
Clerk of Council  
2021 Pavement Rehabilitation – Specialized Construction

\_\_\_\_\_  
Mayor Kevin F. Potter

**FORM OF CONTRACT**

THIS CONTRACT MADE THE \_\_\_\_\_ day of \_\_\_\_\_, 2021, by and between **Specialized Construction, Inc.**, hereinafter called the "Contractor" and **The City of Kirtland**, hereinafter called the "Municipality".

WITNESSETH: That the Contractor and the Municipality for the consideration stated herein, agree as follows:

**ARTICLE I - SCOPE OF WORK:** The Contractor shall perform all work required to be performed and shall provide and furnish all of the labor, materials, necessary tools, expendable equipment, and all utility and transportation services required to perform and complete, in a workmanlike manner, all the work required in connection with the **2021 PAVEMENT REHABILITATION (City Project #2021001)** for the City of Kirtland all in strict accordance with Plans and Specifications, including any and all addenda, prepared by The C. W. Courtney Company, acting for the Municipality and in these Contract Documents referred to as the Engineer, which Plans and Specifications are made a part of this Contract; and in strict compliance with the Contractor's proposal and the Contractor shall do everything required by this Contract and the other documents constituting a part hereof.

**ARTICLE II - THE CONTRACT PRICE:** The Municipality shall pay to the Contractor for the performance of this Contract, subject to any additions or deductions provided therein, in current funds, the contract price computed as indicated on the following pages.

*The remainder of this page is intentionally left blank*

**2021 Pavement Rehabilitation  
The City of Kirtland, Ohio**

Item						Price
<b>SECTION I - PAVEMENT REPAIR, RECYCLING &amp; RESURFACING</b>						
1	For Each	SY	of Item	253	Full Depth Pavement Repair, T=12", As Directed	\$29.00
2	For Each	CY	of Item	204	Repair of Poor Subgrade, As Directed	\$18.00
3	For Each	SY	of Item	254	Pavement Planing, Butt Joints (Aprons & Intersections)	\$5.00
4	For Each	SY	of Item	Spec	Single Pass Pavement Recycling, T=5"	\$9.25
5	For Each	GAL	of Item	Spec	Asphalt Pavement Recycling Agent, 2 Gal/SY	\$3.25
6	For Each	TON	of Item	703	Supplemental Aggregate, #57 Limestone, 30lb/SY	\$75.00
7	For Each	HR	of Item	204	Proof Roll	\$100.00
8	For Each	sy	of Item	422	Double Chip Seal with Mastic Surface Seal	\$5.55
9	For Each	TON	of Item	441	1" Asphalt Concrete Intermediate Course, Type 1 (448)	\$88.00
10	For Each	TON	of Item	441	1-1/2" Asphalt Concrete Surface Course, Type 1 (448)	\$88.00
11	For Each	LF	of Item	605	Aggregate Drain	\$15.00
12	For Each	SY	of Item	617	Shoulder Preparation, Grading & Berming, RAP	\$7.50
13	For Each	GAL	of Item	408	Prime Coat for Shoulder Berming (0.5 Gal/SY)	\$2.50
14	For Each	SY	of Item	SPEC	Witco Reclaimite (or equal) @ 0.08 Gal/ Sq Yd	\$0.95
15	For Each	MI	of Item	642	Double Solid Centerline, Yellow	\$1,000.00
16	For Each	MI	of Item	642	Edge Line, 4", White	\$500.00
17	For Each	LF	of Item	642	Stop Line	\$3.95
18	For Each	LS	of Item	614	Maintaing Traffic	\$29,900.00
19	For Each	LS	of Item	624	Mobilization	\$31,000.00
20	For Each	HR	of Item	-	Good Faith Estimate of Construction Inspection Sect. I	N/A
<b>SECTION IA - CONTINGENCY ITEMS FOR SECTION I, TO BE USED ONLY AS DIRECTED BY THE ENGINEER</b>						
21	For Each	SY	of Item	253	Full Depth Pavement Repair, T=12", As Directed	\$29.00
22	For Each	CY	of Item	204	Repair of Poor Subgrade, As Directed	\$18.00
23	For Each	SY	of Item	254	Pavement Planing, Butt Joints (Aprons & Intersections)	\$3.00
24	For Each	SY	of Item	Spec	Single Pass Pavement Recycling, T=5"	\$7.75
25	For Each	GAL	of Item	Spec	Asphalt Pavement Recycling Agent, 2 Gal/SY	\$2.35
26	For Each	TON	of Item	703	Supplemental Aggregate, #57 Limestone, 30lb/SY	\$50.00
27	For Each	HR	of Item	204	Proof Roll	\$70.00
28	For Each	SY	of Item	422	Double Chip Seal with Mastic Surface Seal	\$4.55
29	For Each	TON	of Item	441	1" Asphalt Concrete Intermediate Course, Type 1 (448)	\$70.00
30	For Each	TON	of Item	441	1-1/2" Asphalt Concrete Surface Course, Type 1 (448)	\$70.00
31	For Each	LF	of Item	605	Aggregate Drain	\$10.00
32	For Each	SY	of Item	617	Shoulder Preparation, Grading & Berming, RAP	\$4.50
33	For Each	GAL	of Item	408	Prime Coat for Shoulder Berming (0.5 Gal/SY)	\$2.50
34	For Each	SY	of Item	SPEC	Witco Reclaimite (or equal) @ 0.08 Gal/ Sq Yd	\$0.95
35	For Each	MI	of Item	642	Double Solid Centerline, Yellow	\$1,000.00
36	For Each	MI	of Item	642	Edge Line, 4", White	\$500.00
37	For Each	LF	of Item	642	Stop Line	\$3.95
<b>SECTION II - PAVEMENT REPAIR &amp; RESURFACING</b>						
38	For Each	HR	of Item	204	Proof Roll	\$100.00
39	For Each	SY	of Item	253	Full Depth Pavement Repair, T=12", As Directed	\$29.00
40	For Each	SY	of Item	254	Pavement Planing, Butt Joints (Aprons & Intersections)	\$5.00
41	For Each	SY	of Item	422	Pavement Pre-Seal, Single Chip Seal	\$2.50
42	For Each	TON	of Item	441	1" Asphalt Concrete Intermediate Course, Type 1 (448)	\$88.00
43	For Each	TON	of Item	441	1-1/2" Asphalt Concrete Surface Course, Type 1 (448)	\$88.00
44	For Each	LF	of Item	605	Aggregate Drain	\$15.00
45	For Each	SY	of Item	617	Shoulder Preparation, Grading & Berming, RAP	\$7.50
46	For Each	GAL	of Item	408	Prime Coat for Shoulder Berming (0.5 Gal/SY)	\$2.50
47	For Each	SY	of Item	SPEC	Witco Reclaimite (or equal) @ 0.08 Gal/ Sq Yd	\$0.95

**2021 Pavement Rehabilitation  
The City of Kirtland, Ohio**

Item					Price
48	For Each	MI	of Item 642	Double Solid Centerline, Yellow	\$1,000.00
49	For Each	MI	of Item 642	Edge Line, 4", White	\$500.00
50	For Each	LF	of Item 642	Stop Line	\$3.95
51	For Each	LS	of Item 614	Maintaing Traffic	\$7,000.00
52	For Each	LS	of Item 624	Mobilization	\$12,000.00
53	For Each	HR	of Item -	Good Faith Estimate of Construction Inspection Sect. II	N/A
<b>SECTION IIIA - CONTINGENCY ITEMS FOR SECTION II, TO BE USED ONLY AS DIRECTED BY THE ENGINEER</b>					
54	For Each	HR	of Item 204	Proof Roll	\$70.00
55	For Each	SY	of Item 253	Full Depth Pavement Repair, T=12", As Directed	\$29.00
56	For Each	CY	of Item 204	Repair of Poor Subgrade, As Directed	\$18.00
57	For Each	SY	of Item 254	Pavement Planing, Butt Joints (Aprons & Intersections)	\$3.00
58	For Each	SY	of Item 422	Pavement Pre-Seal, Single Chip Seal	\$2.00
59	For Each	TON	of Item 441	1" Asphalt Concrete Intermediate Course, Type 1 (448)	\$70.00
60	For Each	TON	of Item 441	1-1/2" Asphalt Concrete Surface Course, Type 1 (448)	\$70.00
61	For Each	LF	of Item 605	Aggregate Drain	\$10.00
62	For Each	SY	of Item 617	Shoulder Preparation, Grading & Berming, RAP	\$4.50
63	For Each	GAL	of Item 408	Prime Coat for Shoulder Berming (0.5 Gal/SY)	\$2.50
64	For Each	SY	of Item SPEC	Witco Reclaimite (or equal) @ 0.08 Gal/ Sq Yd	\$0.95
65	For Each	MI	of Item 642	Double Solid Centerline, Yellow	\$1,000.00
66	For Each	MI	of Item 642	Edge Line, 4", White	\$500.00
67	For Each	LF	of Item 642	Stop Line	\$3.95
<b>SECTION III - ADD ALTERNATE: PAVEMENT PLANING, REPAIR &amp; RESURFACING OF PRELOG LN.</b>					
<b>Not Awarded</b>					
<b>SECTION IIIA - CONTINGENCY ITEMS FOR SECTION III, TO BE USED ONLY AS DIRECTED BY THE ENGINEER</b>					
<b>Not Awarded</b>					

**ARTICLE III - PAYMENT:** Payments are to be made to the Contractor in accordance with and subject to the provisions embodied in the documents made a part of this Contract.

**ARTICLE IV - TIME OF COMPLETION:** Work under this Contract shall commence on or after July 12, 2021. The Contractor shall diligently prosecute and complete all work under this Contract on or before October 20, 2021. The date of completion of the work determined as provided herein shall be hereinafter referred to as the "Contract Completion Date."

The contractor acknowledges that time is of the essence in this contract, and that the contractor is subject to liquidated damages of \$500.00 per day for failure to complete all work under this contract on or before the completion date as indicated in the Special Conditions section of the contract.

**ARTICLE V - CONTRACT DOCUMENTS:** The following documents are incorporated as contract provisions and are included by reference as though fully rewritten herein: Legal Notice, Information to Bidders, Proposal, General Conditions, Special Conditions, Detailed Specifications, all other documents included in the bid packet, and all Municipal Specifications as attached to the "Contract and Specifications" for the **2021 PAVEMENT REHABILITATION (City Project #2021001)**.

IN WITNESS WHEREOF, the parties hereto have caused this instrument to be executed in three (3) original counterparts, the day and year first above written.

IN THE PRESENCE OF:

(SEAL)

\_\_\_\_\_

\_\_\_\_\_  
Contractor

By: \_\_\_\_\_

Title: \_\_\_\_\_

**The City of Kirtland**

\_\_\_\_\_  
Municipality

(SEAL)

\_\_\_\_\_

By: \_\_\_\_\_

Kevin F. Potter, Mayor

By: \_\_\_\_\_

Mary Kovalchik, Finance Director

Approved as to Form

Date: \_\_\_\_\_

\_\_\_\_\_  
Matthew A. Lallo, Law Director