

(Mayor Potter)

CITY OF KIRTLAND

RESOLUTION NUMBER 24-R-61

A RESOLUTION ACCEPTING THE BID OF MR. EXCAVATOR FOR ITS WORK ON THE CONCRETE SIDEWALKS AND ADA-COMPLIANT RAMPS AT CITY HALL, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kirtland has a duty to maintain its buildings and land; and

WHEREAS, the Director of Public Service has determined that the concrete sidewalks at City Hall need to be replaced; and

WHEREAS, the City of Kirtland, in compliance with all bidding requirements as found in the Ohio Revised Code and in its Codified Ordinances, solicited appropriate bids for said potential project; and

WHEREAS, the Director of Public Service, has reviewed said proposals or bids, and has made a recommendation for acceptance of the bid placed by Mr. Excavator for work to be performed in accordance with said proposal.

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 proposal of Mr. Excavator of Kirtland, Ohio, is the lowest and best bid to perform the concrete repairs and City Hall. The City of Kirtland hereby accepts the bid of Mr. Excavator for the completion of this project in an amount not to exceed \$33,500.00 and to be performed in accordance with the attached Proposal which is attached hereto and incorporated herein as Exhibit A.

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. However, any expenditures beyond the original bid of \$33,500.00 shall be subject to further authorization by this Council.

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.

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 City Hall property; wherefore, 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
_____, 2024.

ATTEST:

Approved by the Mayor on this _____
day of _____, 2024.

Clerk of Council
City Hall Concrete – Mr. Excavator

Mayor Kevin F. Potter



PROPOSAL

To: John Fornaro	Of: City of Kirtland
Fax:	Pages: (3) Including cover
From: Paul Diorio	Date: April 12, 2024
Re: Replace CB SR306 and City Hall Concrete	CC:

Urgent
 For Review
 Please Comment
 Please Reply
 Please Recycle

● **Comments:**

We are pleased to present the following bid proposal for this project. If you should have any questions, please contact our office at your convenience.

Mr. Excavator's bid is being submitted expressly conditional upon negotiating an acceptable Subcontract terms and conditions. Additionally, Mr. Excavator's proposed pricing is subject to adjustment upon receipt and review of a final scope of work, and a meeting with contractor to conduct a review of the final scope of work to ensure that both parties have a full understanding of the project expectations.

Respectfully Submitted,

Paul Diorio
Estimator
Mr. Excavator, Inc.

Thomas J. Flesher, VP of Estimating
Mr. Excavator Inc.

Project: Replace CB SR306 and City Hall Concrete
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SCOPE OF WORK

SITework

City Hall Concrete – Remove and replace 2,700 SF of 4” concrete over the existing base. New Concrete shall be Class “C” Non- Reinforced Concrete with a broom or float finish. Scope of work DOES NOT include Excavation of existing base, soil, or embankment of new soil and aggregate base.

UTILITIES

Storm Sewer Remove and Replace Catch Basin on SR306. Scope included material, manpower, and equipment to accomplish replacement in 1-Day. Additional Time shall be compensable on a Time and Material Basis.

EXCLUSIONS:

- Rock excavation
- Aggregate Base
- Excavation, removal, and replacement of unsuitable soil
- Landscape repair
- Erosion and Sediment Control
- Road repair
- Any “Field Verifying” (operation will be done on a time and material basis).
- All permits, fees or inspection costs Project:

Conditions, Stipulations and Agreement of Bid Proposal

All material is guaranteed to be as specified. All work is to be completed in a workmanlike manner according to standard practices. Price quote is based on items listed in specification and sequence section of proposal. Any alteration or deviation from the aforementioned specifications involving extra costs would become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents, or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. All pricing is based on normal ground conditions and not the encounterment of rock, hard shale, quick sand, concrete foundations, sewers, contaminated material, etc. We will not assume responsibility for the quality of subsoil strata beneath our cuts and fills. If preceding conditions arise, the extra cost must be negotiated or charges absorbed by the General Contractor, Management Group, or Owner. All pricing is based on current market indexes and prevailing prices. In the event such market value indexes or prevailing prices become escalated, Mr. Excavator reserves its right to Economic Price Adjustments. Economic Price Adjustments shall be determined at the time of performance or delivery, whichever is later. Economic Price Adjustments shall be compensable to Mr. Excavator by the General Contractor, Management Group, or Owner. All permits, engineering and layout, field and lab testing, hand labor, dewatering, sheeting, shoring, bracing, or underpinning, protection of underground utilities or services, maintenance of excavation, construction of roads or drives, traffic control, plus barricading and lighting protection are the responsibility of the General Contractor, Management Group or Owner.

Certificates of Insurance and Workers’ Compensation and equipment rental rates will be issued upon request.

All accounts not paid after forty-five (45) days of last day worked will receive of Mechanic’s Lien. Any additional legal fees, Mechanic’s Lien, etc. cost incurred will be passed on and absorbed by the General Contractor, Management Group or Owner.

All accounts after thirty (30) days will be charged a finance charge computed at a rate of 1½% per month, which is an annual percentage rate of 18%.

Should we be the successful bidder, the above conditions, stipulations and agreements shall be known as specifications and plans for sub contract.

This proposal is based on Site Visit between Jeree Flesher and John Fornaro

Addendum received: None

Project: Replace CB SR306 and City Hall Concrete
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Proposal Price:

City Hall Concrete
Thirty-three Thousand, Five Hundred Dollars & 00/xx (\$33,500.00)

SR 306 CB Repair
Seven Thousand, Five Hundred Dollars & 00/xx (\$7,500.00)

Payment to be as follows: Monthly draws on percentage of work completed.

Respectfully Submitted
Mr. Excavator, Inc.

Paul Diorio, Estimator

Thomas J. Flesher, VP of Estimating

Note: This proposal is not valid after 14 days from submission if not accepted.

Accepted: The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified.

Payment will be made as outlined above.

Date of Acceptance: _____ By _____