

**RESOLUTION NO.:** 2008-R24 (Amended May 13, 2008)  
**SPONSOR:** MAYOR NORTON  
**INTRODUCED:** APRIL 22, 2008 **ASSIGNED TO:** PLANNING

**A RESOLUTION AWARDDING A CONTRACT TO WENGER EXCAVATING FOR THE STEESE/SHRIVER INTERSECTION PROJECT ("PROJECT"), MAKING AN APPROPRIATION, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Green advertised a "Notice to Bidders" in the Akron Beacon Journal on March 27, 2008 and April 3, 2008; and

WHEREAS, on Friday, April 11, 2008 at 3:00 p.m. the City Engineer received and opened sealed bids for the Project; and

WHEREAS, the City Engineer has reviewed the bids and recommends that a contract be awarded to Wenger Excavating for the Project; AND

**WHEREAS, IT IS NECESSARY TO AMEND THE CAPITAL BUDGET WITH AN ADDITIONAL APPROPRIATION FOR THE PROJECT.**

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

**SECTION ONE:**

The following are the bids received and opened on April 11, 2008 at 3:00 p.m.:

<u>CONTRACTOR</u>	<u>BID</u>	
1. Wenger Excavating 26 N. Cochran St. P O Box 499 Dalton, OH 44618	Base Bid	\$684,486.75
2. Spano Brothers 2595 Pressler Road Akron, OH 44312	Base Bid	\$705,477.21** <i>**corrected bid amt.</i>
3. Vito Gironda Construction 1130 Brittain Road Akron, OH 44305	Base Bid	\$724,393.74
4. Don Wartko Construction 975 Tallmadge Road Kent, OH 44240	Base Bid	\$748,405.60
5. Tucson, Inc. 3497 University Dr. NE New Philadelphia, OH 44663	Base Bid	\$779,317.04** <i>**corrected bid amt.</i>

6.	<b>Lockhart Concrete</b> 800 W. Waterloo Road Akron, OH 44314	<b>Base Bid</b>	<b>\$783,409.17</b>
7.	<b>DiPietro Excavating</b> 7706 Lincoln St. SE E. Canton, OH 44730	<b>Base Bid</b>	<b>\$785,041.65</b>
8.	<b>Superior Paving &amp; Materials</b> 5945 Whipple Ave NW N. Canton, OH 44720	<b>Base Bid</b>	<b>\$791,785.95</b>
9.	<b>Cementech, Inc.</b> 1680 Southeast Ave. Tallmadge, OH 44278	<b>Base Bid</b>	<b>\$820,426.80</b>

**SECTION TWO:**

City Council finds, based on all relevant factors, that Wenger Excavating is the lowest and best bidder for the Project and has agreed to comply with all specifications.

**SECTION THREE:**

The Mayor is authorized and directed to enter into an agreement with Wenger Excavating for the Project. The Finance Director is authorized to make payment to Wenger Excavating through the established purchase order procedures.

**SECTION FOUR:**

**CITY COUNCIL APPROVES AN ADDITIONAL APPROPRIATION OF SIX HUNDRED TWENTY-NINE THOUSAND DOLLARS (\$629,000.00) TO THE STEESE ROAD RECONSTRUCTION PROJECT ACCOUNT (403-8010-53633) FROM THE UNAPPROPRIATED BALANCE OF THE TIF CAPITAL PROJECTS FUND.**

**SECTION FOUR FIVE:**

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 SIX:**

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. Provided that this legislation receives the affirmative vote of three-fourths of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and

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approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: May 27, 2008

Molly Stevens  
Molly Stevens, Clerk

Christine Croce  
Christine Croce, Council President

APPROVED: May 27, 2008

Richard G. Norton  
Richard G. Norton, Mayor

COPIED  
SVCE ZONE PARK ROAD ENG  
LAW FIN MAY PLAN FIRE

ENACTED EFFECTIVE: May 27, 2008

ON ROLL CALL: Colopy - YEA Croce - YEA France - YEA Manwaring - Abstain  
Reed - YEA Ridgeway - YEA Smole - YEA Adopted 6-0-1

Suburbanite publication on June 1 and June 8, 2008

Molly Stevens  
Molly Stevens, Clerk

5/7/2008 1:30 PM Approved as to form and content by Stephen J. Pruneski, Law Director

SP 5/7/08