

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2024 – 145

BY: Mayor Perciak and All Members of Council

**AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2024-059 TO INCREASE THE APPROPRIATED CONTRACT AMOUNT AND AMEND THE CONTRACT WITH CROSSROADS ASPHALT RECYCLING, INC. FOR PURCHASE OF GENERAL PAVEMENT SERVICES FOR USE BY THE SERVICE DEPARTMENT OF THE CITY, WITHOUT FURTHER PUBLIC BIDDING, AND DECLARING AN EMERGENCY.**

WHEREAS, through adoption of Ordinance No. 2024-059 after public bidding, the Council approved and authorized the Mayor to enter into a contract with Crossroads Asphalt Recycling, Inc. for the purchase of general pavement services through 2024 at unit prices but in a total amount not to exceed \$2,189,935.00; and

WHEREAS, since then, it has become necessary for the City's Service Department to patch and/or repair various additional roads in the City, beyond those originally anticipated, which contain poor surface conditions and thereby constitute potential safety hazards to persons and property, and jeopardize safe travel by the public; and

WHEREAS, therefore, the City's Service Director has now recommended that it is necessary to allocate additional funds in the amount of up to \$350,000.00 on an emergency basis to address such significant street and road conditions encountered under the City's existing contract for asphalt general pavement services, without further public bidding, to amend prior Ordinance No. 2024-059 and the contract authorized thereby, and to provide additional payment for such changes in the work in the amount of \$350,000.00.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO, BY UNANIMOUS AFFIRMATIVE VOTE:

**Section 1.** That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Department of Public Service of the City of Strongsville, in that it has become immediately necessary to provide additional asphalt general pavement services in order to repair and/or re-pave various additional roads within the City, without further public bidding, and in order to provide for the operation of the Service Department, and the proper maintenance of the roads and streets within the City, to protect the health, safety and welfare of the residents and the traveling public, and to conserve public funds.

**Section 2.** That Section 2 of Ordinance No. 2024-059 is hereby amended to read in its entirety as follows:

**"Section 2.** That accordingly the Mayor be and is hereby authorized and directed to enter into a contract with the aforesaid lowest and best bidder for the purchase of general pavement services for use by the Service Department of the City, in accordance with the specifications on file in the office of the Director of Public Service and for the unit prices and sums

submitted in such bid, but in any event in a total amount not to exceed ~~\$2,189,935.00~~ **\$2,539,935.00** through December 31, 2024, and in a form to be approved by the Law Director.”

**Section 3.** That for the reasons aforesaid, this Council hereby approves and authorizes the Mayor to enter into an amendment to the contract with **CROSSROADS ASPHALT RECYCLING, INC.**, for asphalt general pavement services in order to increase the not-to-exceed amount, but at the same unit prices, from \$2,189,935.00 to \$2,539,935.00 through December 31, 2024, and without further public bidding.

**Section 4.** That the funds for the purposes of this amendment have been appropriated and shall be paid from the Street Construction, Maintenance and Repair Fund and Motor Vehicle Fund.

**Section 5.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

**Section 6.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to amend the prior Ordinance and contract in order to provide sufficient funds for payment of additional asphalt general pavement services necessary to ensure safe roads for the traveling public, to complete necessary work prior to the advent of inclement weather, and to conserve public funds. Therefore, provided this Ordinance receives the unanimous vote of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

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

Date Passed: 10.02.2024

Approved:   
 \_\_\_\_\_  
 Mayor

Date Approved: Oct 9, 2024

Attest:   
 \_\_\_\_\_  
 Clerk of Council

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	_____
Clark	<input checked="" type="checkbox"/>	_____
Kaminski	<input checked="" type="checkbox"/>	_____
Kosek	<input checked="" type="checkbox"/>	_____
Roff	<input checked="" type="checkbox"/>	_____
Short	<input checked="" type="checkbox"/>	_____
Spring	<input checked="" type="checkbox"/>	_____

Ord. No. 2024-145 Amended: \_\_\_\_\_  
 1<sup>st</sup> Rdg. 10-07-24 Ref: \_\_\_\_\_  
 2<sup>nd</sup> Rdg. Suspended Ref: \_\_\_\_\_  
 3<sup>rd</sup> Rdg. Suspended Ref: \_\_\_\_\_

Public Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: 10-07-24 Defeated: \_\_\_\_\_