

RECEIVED MAY 10 2021

# City of Middleburg Heights, Ohio

## Ordinance No. 2021- 34

Introduced by: Mr. Meany, Mr. Ali, and Mr. McGregor

**AN ORDINANCE  
AUTHORIZING THE MAYOR AND FINANCE DIRECTOR  
TO ENTER INTO A CONTRACT WITH  
TERRACE CONSTRUCTION COMPANY, INC.  
AND DECLARING AN EMERGENCY**

Move for suspension of Charter Section 4.10  
(5 day delivery requirement) & Council Rule 3  
(24 hour agenda requirement).

WHEREAS, the City’s purchasing policy requires City Council approval on any single purchase of products or services exceeding \$25,000 or any professional service contract exceeding \$10,000, with the exception of items purchased through or at an amount equal to an approved cooperative purchasing agreement; and

WHEREAS, the City desires to retain the services of a competent and qualified contractor to provide certain products/services to the City; and

WHEREAS, Terrace Construction Company, Inc. is competent and qualified to furnish products and/or services to the City and has provided a responsive and responsible proposal, and desires to provide Construction Services – First Avenue Storm Sewer.

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MIDDLEBURG HEIGHTS, CUYAHOGA COUNTY, STATE OF OHIO:**

Section 1. That the Mayor and Finance Director is hereby authorized to enter into a contract with Terrace Construction Company, Inc. to provide certain products and/or services to the City, a copy of which is attached hereto and marked “Exhibit A”.

Section 2. That there is hereby appropriated an additional \$36,000 from the Streets/Infrastructure Capital Improvements Fund to implement this Ordinance.

Section 3. That it is hereby found and determined that all formal actions of this council concerning and relating to the passage 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 actions were in meetings open to the public, in compliance with all legal requirements including chapter 107 of the Codified Ordinances and section 121.22 of Ohio Revised Code.

Section 4. That this ordinance is hereby declared to be an emergency measure, immediately necessary for the preservation of the public peace, health and safety of the citizens of the City of Middleburg Heights, Ohio. Therefore, this ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED 5/11/21

David Bortolotto  
PRESIDENT OF COUNCIL

ATTEST:  
M Meola  
CLERK OF COUNCIL

PRESENTED TO MAYOR 5/12/21

APPROVED ON: 5-13-2021

	YEAS	NAYS
BORTOLOTTA	<u>X</u>	_____
ALI	<u>X</u>	_____
SAGE	<u>X</u>	_____
MEANY	<u>X</u>	_____
MCGREGOR	<u>X</u>	_____
FERENCE	<u>X</u>	_____
GRECH	<u>X</u>	_____

Matthew Caslett  
MAYOR

I, Mary Ann Meola Clerk of the Council of the City of Middleburg Hts., Ohio, hereby certify that Ord. 2021-34 adopted by the Council of the City of Middleburg Hts., on 5/11/21 was posted for a period of fifteen days, beginning 5/18/21 and remained so posted for fifteen days at the two posting places as designated by Charter.

Mary Ann Meola  
Clerk

**CERTIFICATE**

I, Mary Ann Meola Clerk of Council of the City of Middleburg Heights, Ohio, do hereby certify that the foregoing is a true and accurate copy of Ord. 2021-34 passed on the 11<sup>th</sup> day of May 2021 by said Council.

Mary Ann Meola  
Clerk of Council



Terrace Construction Company, Inc.  
An Equal Opportunity Employer  
3965 Pearl Road · Cleveland, OH 44109-3103  
Phone: (216) 739-3170 · Fax: (216) 739-3169

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5/06/2021

Mr. James Herron  
City of Middleburg Heights  
15700 Bagley Road  
Middleburg Heights, OH 44130

Subject: First Avenue Storm Sewer

Dear Mr. Herron,

Terrace Construction is submitting the following bid to install the 8 inch SDR 26 PVC storm sewer on First Avenue as per the plans submitted by Mackay Engineering and Surveying.

To perform said work, our base bid includes:

1. 8 inch SDR 26 PVC pipe and fittings.
2. Removal and replacement of Rich's Towing drive apron and the sidewalk adjacent to the Browns facility in MS concrete. One half of the drive apron will be always accessible.
3. Core boots for the catch basin and manhole tie-in points.
4. Premium backfill to grade with limestone.
5. Restoration of lawn areas disturbed by our work.
6. MOT

The base cost for this work is **\$27,077.00**

As an option, we will provide LSM50 as premium fill topped with 6" of 304LS in driveway / parking / sidewalk areas.

The cost in addition to our base bid for this work is **\$5,546.00**

Please feel free to contact me with any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "D. Damyanic".

Don Damyanic  
Project Manager

**BID TABULATION  
FIRST AVENUE  
STORM SEWER**

**May 8, 2021**

<b><u>Contractor</u></b>	<b><u>Bid Amount</u></b>
Terrace Construction Company	\$ 32,623.00*
Fabrizi Trucking & Paving Co., Inc.	\$ 38,735.00
KMU Trucking & Excavating	\$ 46,165.00

\*includes extra for LSM. Other bidders did not differentiate between backfill types.