

**ORDINANCE RECORD**

**VILLAGE OF NEWBURGH HEIGHTS, OHIO**

**ORDINANCE NO. 2022-61**

INTRODUCED BY: Mayor Traore

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH TERRACE CONSTRUCTION COMPANY, INC. FOR CONSTRUCTION OF THE MULTI-STREET IMPROVEMENTS PROJECT PHASE I (E. 43<sup>RD</sup> STREET & ALPHA AVENUE) IN AN AMOUNT NOT TO EXCEED \$1,135,125.11, AND DECLARING AN EMERGENCY**

WHEREAS, the Village solicited bids for construction services for the Multi-Street Improvements Project Phase I (E. 43<sup>rd</sup> Street and Alpha Avenue);

WHEREAS, Terrace Construction Company, Inc. submitted a base bid of \$1,135,125.11, which is within 1.7% below the Engineer's Estimate of Probable Cost and therefore may be accepted; and

WHEREAS, OHM Advisors has recommended that Council accept the bid of Terrace Construction Company, Inc. Council has determined that the lowest and best bid was presented by Terrace Construction Company, Inc., and Council wishes to accept that bid and authorize the Mayor to enter into a contract;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL FOR THE VILLAGE OF NEWBURGH HEIGHTS, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby accepts the base bid of Terrace Construction Company, Inc. for the Multi-Street Improvements Project Phase I (E. 43<sup>rd</sup> Street and Alpha Avenue) at a cost not to exceed \$1,135,125.11, as set forth in the Engineer's Letter of Recommendation, a copy of which is attached hereto as Exhibit A and incorporated herein by reference as if fully rewritten.

Section 2. Council hereby authorizes the Mayor to enter into a contract with Terrace Construction Company, Inc. for the Multi-Street Improvements Project Phase I (E. 43<sup>rd</sup> Street and Alpha Avenue), in a form approved by the Village Solicitor.

Section 3. Council hereby repeals Ordinance 2022-34.

Section 4. 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 that resulted in such formal action occurred in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 5. This Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of public peace, health and safety of the inhabitants of the Village of Newburgh Heights, such emergency being the need to award the project promptly so that the contractor can obtain materials without delay and at reasonable prices, and begin work as soon as possible; wherefore, provided it receives the affirmative vote of four (4) or more of the members elected or appointed to this Council, this Ordinance shall take effect and be in force immediately upon its passage; otherwise, it shall take effect and be in force from and after the earliest time allowed by law.

PASSED: September 8, 2022

Approved as to Form



Solicitor



Gigi Traore, Mayor  
Village of Newburgh Heights, Ohio



Cathleen Nagorski, Fiscal Officer  
Village of Newburgh Heights, Ohio

1<sup>ST</sup> Reading: 9-8-22  
2<sup>ND</sup> Reading: 9-8-22  
3<sup>RD</sup> Reading: 9-8-22



August 24, 2022

Mayor Gigi Traore  
Village of Newburgh Heights  
3801 Harvard Avenue  
Newburgh Heights, OH 44105

Newburgh Heights Multi-Street Improvements PH I Re-Bid  
Village of Newburgh Heights  
**Recommendation to Award Contract**

We hereby request that Council legislation be prepared to authorize the award of the above-referenced project based on the summary as follows:

**Engineer's Estimate**

- The Engineer's Official Estimate of Probable Cost for this Project is \$ 1,154,483.00.

**Bids Received**

- The Engineer (OHM Advisors) has reviewed all bids and hereby provides the following list of Bidders and bid prices:

<b>Bidder</b>	<b>Base Bid</b>
1. Terrace Construction Company, Inc.	\$ 1,135,125.11*
2. Tri Mor Corporation	\$ 1,257,613.50**
3. Perk Company, Inc.	\$ 1,552,005.33

**Review Notes**

\*Terrace Construction Company Inc. added a note on page 39, the bid certification page, that the Earliest Start Date and Project Completion Date would be "based on material availability".

\*\*Tri Mor Corporation added a note on page 39, the bid certification page, that the Earliest Start Date and Project Completion Date would be "To be determined by material availability". No actual calendar dates were included.

**Recommendation Summary**

- Upon review of references, equipment, materials, suppliers, subcontractors, and all documents submitted as required by the bid documents, the Engineer hereby recommends the award of the contract to the following lowest and best bidder:

✓ \$ 1,135,125.11 Terrace Construction Company, Inc.



Should you have any questions or require additional documentation, please let me know.

Sincerely,  
OHM Advisors

Chad M. Lewis, PE  
Project Manager