

**CITY OF STRONGSVILLE, OHIO**

**ORDINANCE NO. 2016 – 237**

**BY: Mayor Perciak and All Members of Council**

**AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2016-109 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. 2016-109 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 2016 at unit prices but in a total amount not to exceed \$847,682.50; and

WHEREAS, since then, it had come to the attention of the City's Service Department that a number of additional roads in the City, beyond those originally anticipated, contained poor surface conditions that significantly deteriorated over the last winter season, which thereby constituted potential safety hazards to persons and property, and could jeopardize safe travel by the public; and

WHEREAS, such roads needed to be promptly crack sealed, patched and/or repaired or otherwise re-paved prior to the advent of cold weather when they could further deteriorate and be subject to the effect of city snow plows; and

WHEREAS, it is, therefore, necessary to allocate additional funds in the amount of up to \$267,548.00 on an emergency basis to address such significant street and road issues under the City's existing contract for asphalt general pavement services without further public bidding, to amend prior Ordinance No. 2016-109 and the contract authorized thereby, and to facilitate payment of some charges already, of necessity, incurred by the City's Service Department; and

WHEREAS, the City's Service Director has now recommended that it is further necessary to amend the contract with Crossroads Asphalt Recycling, Inc. and to increase the not-to-exceed amount in the authorizing Ordinance due to such additional unforeseen circumstances and road conditions encountered, all as more fully set forth in Exhibits A through G, attached hereto and incorporated herein as if fully rewritten, and to provide additional payment for such changes in the work in the amount of \$267,548.00.

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 had become immediately necessary to provide additional asphalt general pavement services in order to repair and/or re-pave various additional roads within the City which were significantly deteriorating, prior to the winter season, 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. 2016-109 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 ~~\$847,682.50~~**\$1,115,230.50** through December 31, 2016, 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 \$847,682.50 to \$1,115,230.50 through December 31, 2016, and without further public bidding; and to remit payment for the invoices attached hereto as Exhibits A through G, in the amounts set forth not to exceed \$267,548.00.

**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.

**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.

CITY OF STRONGSVILLE, OHIO  
ORDINANCE NO. 2016 – 237  
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**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.

[Signature]  
\_\_\_\_\_  
President of Council

Approved Thomas S. Bruke  
\_\_\_\_\_  
Mayor

Date Passed: December 19, 2016.

Date Approved: December 20, 2016.

	<u>Yea</u>	<u>Nay</u>
Carbone	<u>✓</u>	_____
Daymut	<u>✓</u>	_____
DeMio	<u>✓</u>	_____
Dooner	<u>✓</u>	_____
Schonhut	<u>✓</u>	_____
Short	<u>✓</u>	_____
Southworth	<u>✓</u>	_____

Attest: [Signature]  
\_\_\_\_\_  
Assistant Clerk of Council

ORD. No. 2016-237 Amended: \_\_\_\_\_  
1st Rdg. 12-19-16. Ref: \_\_\_\_\_  
2nd Rdg. Suspended Ref: \_\_\_\_\_  
3rd Rdg. Suspended Ref: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
Adopted: 12-19-16. Defeated: \_\_\_\_\_



**Crossroads Asphalt Recycling, Inc.**

13421 Hawke Rd.

Columbia Station, OH 44028

Ph: (440) 236-5066 ~ Fax: (440) 236-3506

**INVOICE**

Page 1 of 2

Invoice #: 26766  
Invoice Date: 11/17/2016

Crossroads Job #: 16-015G

**Bill To:**CITY OF STRONGSVILLE  
16099 FOLTZ IND. PKWY  
ATTENTION: JOE WALKER  
STRONGSVILLE OH 44136-**COPY**

Description	Quantity	U/M	Unit Price	Extended Price
2016 Equipment Rental				
Location: Lorraine Drive				
*****				
10/20/16 - Milling				
Tandem Axle	32.50	HR	65.00	2,112.50
Quad Axle	32.25	HR	78.00	2,515.50
Track Milling Machine	9.00	HR	550.00	4,950.00
Sweeper	9.50	HR	120.00	1,140.00
Backhoe	9.00	HR	85.00	765.00
Additional Paver Operators	36.00	HR	62.00	2,232.00
Tractor / Broom	9.00	HR	75.00	675.00
*****				
10/31/16 - Partial Depth Repairs				
Partial Depth Longitudinal Repairs	2,993.00	LF	2.00	5,986.00
Partial Depth Fill #448 1	22.73	CY	350.00	7,955.50
*****				
11/3/16 - Partial Depth				
Partial Depth Grind Longitudinal	1,778.00	LF	2.00	3,556.00
Partial Depth Fill # 448 I	15.98	CY	350.00	5,593.00
*****				
11/11/16 - Pre Seal				
Single Chip Seal # 8 Limestone	6,511.00	SY	1.45	9,440.95
*****				
11/14/16 - Pave				

**EXHIBIT A**

# INVOICE

Page 2 of 2

## ***Crossroads Asphalt Recycling, Inc.***

13421 Hawke Rd.

Columbia Station, OH 44028

Ph: (440) 236-5066 ~ Fax: (440) 236-3506

Invoice #: 26766  
Invoice Date: 11/17/2016

Crossroads Job #: 16-015G

### Bill To:

CITY OF STRONGSVILLE  
16099 FOLTZ IND. PKWY  
ATTENTION: JOE WALKER  
STRONGSVILLE OH 44136-

**COPY**

Description	Quantity	U/M	Unit Price	Extended Price
Tri Axle	39.00	HR	70.00	2,730.00
Quad Axle	76.75	HR	78.00	5,986.50
Distributor	11.00	HR	95.00	1,045.00
20 Ton Roller	20.00	HR	95.00	1,900.00
8-15 Paver	10.00	HR	175.00	1,750.00
Additional Paver Operators	58.00	HR	62.00	3,596.00
# 448 II Placement	279.70	CY	112.00	31,326.40
# 448 I Placement	280.40	CY	124.00	34,769.60
ODOT Spec CSS-1	415.00	GAL	3.50	1,452.50

**DUE UPON RECEIPT**

Invoice Amount: **131,477.45**

# Crossroads Asphalt Recycling, Inc.

13421 Hawke Rd.

Columbia Station, OH 44028

Ph: (440) 236-5066 ~ Fax: (440) 236-3506

## INVOICE

Page 1 of 2

Invoice #: 26764  
Invoice Date: 11/17/2016

Crossroads Job #: 16-015D

### Bill To:

CITY OF STRONGSVILLE  
16099 FOLTZ IND. PKWY  
ATTENTION: JOE WALKER  
STRONGSVILLE

OH

44136-

**COPY**

Description	Quantity	U/M	Unit Price	Extended Price
2016 Equipment Rental				
Location: Bent Tree				
*****				
10/20/16 - Milling				
Tri Axle	16.00	HR	70.00	1,120.00
Quad Axle	16.00	HR	78.00	1,248.00
Milling Machine	8.00	HR	250.00	2,000.00
Sweeper	8.00	HR	120.00	960.00
Backhoe	8.00	HR	85.00	680.00
Additional Paver Operators	32.00	HR	62.00	1,984.00
*****				
10/26/16 - Partial Depth Repairs				
Partial Depth Grind Longitudinal	568.00	LF	2.00	1,136.00
Partial Depth Fill # 448 1	9.40	CY	350.00	3,290.00
*****				
11/11/16 - Pre Seal and Pave				
Tri Axle	16.00	HR	70.00	1,120.00
Quad Axle	32.00	HR	78.00	2,496.00
20 Ton Roller	16.00	HR	95.00	1,520.00
Sweeper	8.00	HR	120.00	960.00
8-15 Paver	8.00	HR	175.00	1,400.00
Additional Paver Operators	48.00	HR	62.00	2,976.00
# 448 II Placement	65.60	CY	112.00	7,347.20
# 448 I Placement	75.70	CY	124.00	9,386.80

**EXHIBIT B**

# INVOICE

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## ***Crossroads Asphalt Recycling, Inc.***

13421 Hawke Rd.

Columbia Station, OH 44028

Ph: (440) 236-5066 ~ Fax: (440) 236-3506

Invoice #: 26764

Invoice Date: 11/17/2016

Crossroads Job #: 16-015D

### Bill To:

CITY OF STRONGSVILLE  
16099 FOLTZ IND. PKWY  
ATTENTION: JOE WALKER  
STRONGSVILLE

OH

44136-

**COPY**

Description	Quantity	U/M	Unit Price	Extended Price
Single Chip Seal # 8 Limestone	1,489.00	SY	1.45	2,159.05

**DUE UPON RECEIPT**

Invoice Amount:

**41,783.05**

# INVOICE

Page 1 of 1

## ***Crossroads Asphalt Recycling, Inc.***

13421 Hawke Rd.

Columbia Station, OH 44028

Ph: (440) 236-5066 ~ Fax: (440) 236-3506

Invoice #: 26780  
Invoice Date: 11/21/2016

Crossroads Job #: 16-015C

### Bill To:

CITY OF STRONGSVILLE  
16099 FOLTZ IND. PKWY  
ATTENTION: JOE WALKER  
STRONGSVILLE

OH 44136

**COPY**

Description	Quantity	U/M	Unit Price	Extended Price
2016 Cracksealing				
*****				
11/14/16 - TK 63299 (Marks Road)	6,260.00	LBS	1.30	8,138.00
11/15/16 - TK 63306 (Marks Road)	5,880.00	LBS	1.30	7,644.00
11/16/16 - TK 63313 (Shurmer Road)	5,080.00	LBS	1.30	6,604.00
11/17/16 - TK 62862 (Bent Tree and Lorraine)	2,900.00	LBS	1.30	3,770.00
11/17/16 - TK 63325 (Shurmer and Howe)	6,280.00	LBS	1.30	8,164.00
11/18/16 - TK 62864 (Howe)	6,220.00	LBS	1.30	8,086.00

**EXHIBIT C**

**DUE UPON RECEIPT**

Invoice Amount: **42,406.00**



**Crossroads Asphalt Recycling, Inc.**

13421 Hawke Rd

Columbia Station, OH 44028

Ph: (440) 236-5066 ~ Fax: (440) 236-3506

**INVOICE**

Page 1 of 1

Invoice #: 26749  
Invoice Date: 11/14/2016

Crossroads Job #: 16-015C

**Bill To:**CITY OF STRONGSVILLE  
16099 FOLTZ IND. PKWY  
ATTENTION: JOE WALKER  
STRONGSVILLE

OH

44136

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CITY OF STRONGSVILLE  
SERVICE DEPARTMENT**COPY**

Description	Quantity	U/M	Unit Price	Extended Price
2016 Cracksealing				
*****				
11/7/16 - TK 63227 (Boston Road)	6,280.00	LBS	1.30	8,164.00
11/10/16 - TK 63262 (Boston Road)	6,120.00	LBS	1.30	7,956.00
11/11/16 - TK 63280 (Boston Road)	5,460.00	LBS	1.30	7,098.00

046119-5268

John B. Smith  
11/17/16

A

**EXHIBIT D****DUE UPON RECEIPT**Invoice Amount: **23,218.00**

# INVOICE

Page 1 of 1

## ***Crossroads Asphalt Recycling, Inc.***

13421 Hawke Rd.

Columbia Station, OH 44028

Ph: (440) 236-5066 ~ Fax: (440) 236-3506

Invoice #: 26822  
Invoice Date: 12/7/2016

Crossroads Job #: 16-015C

### Bill To:

CITY OF STRONGSVILLE  
16099 FOLTZ IND. PKWY  
ATTENTION: JOE WALKER  
STRONGSVILLE

OH

44136-

**COPY**

Description	Quantity	U/M	Unit Price	Extended Price
2016 Cracksealing				
*****				
Howe Road - 11/28/16 (TK 62916)	2,200.00	LBS	1.30	2,860.00
Howe Road - 11/30/16 (TK 62924)	6,080.00	LBS	1.30	7,904.00

**EXHIBIT E**

**DUE UPON RECEIPT**

Invoice Amount: **10,764.00**

# INVOICE

Page 1 of 1

## ***Crossroads Asphalt Recycling, Inc.***

13421 Hawke Rd.

Columbia Station, OH 44028

Ph: (440) 236-5066 ~ Fax: (440) 236-3506

Invoice #: 26773  
Invoice Date: 11/21/2016

Crossroads Job #: 16-016

### Bill To:

CITY OF STRONGSVILLE  
16099 FOLTZ IND. PKWY  
ATTENTION: JOE WALKER  
STRONGSVILLE

OH

44136

**COPY**

Description	Quantity	U/M	Unit Price	Extended Price
Picked up Materials				
*****				
Cold Patch - 11/18/16 (TK 62882)	10.20	TONS	95.00	969.00
Cold Patch - 11/18/16 (TK 62878)	9.90	TONS	95.00	940.50

**EXHIBIT F**

**DUE UPON RECEIPT**

Invoice Amount: **1,909.50**

# Crossroads Asphalt Recycling, Inc.

13421 Hawke Rd.

Columbia Station, OH 44028

Ph: (440) 236-5066 ~ Fax: (440) 236-3506

## INVOICE

Page 1 of 1

Invoice #: 26791  
Invoice Date: 11/28/2016

Crossroads Job #: 16-015C

### Bill To:

CITY OF STRONGSVILLE  
16099 FOLTZ IND. PKWY  
ATTENTION: JOE WALKER  
STRONGSVILLE

OH

44136

# COPY

Description	Quantity	U/M	Unit Price	Extended Price
2016 Cracksealing				
*****				
11/21/16 - TK 62893 (Howe Road)	5,080.00	LBS	1.30	6,604.00
11/22/16 - TK 62901 (Howe Road)	6,160.00	LBS	1.30	8,008.00
11/23/16 - TK 62910 (Howe Road)	1,060.00	LBS	1.30	1,378.00

046419-5268

*[Signature]*  
11/30/16

## RECEIVED

NOV 30 2016

CITY OF STRONGSVILLE  
SERVICE DEPARTMENT

EXHIBIT G

DUE UPON RECEIPT

Invoice Amount: 15,990.00