

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2015 – 146

By: Mr. DeMio

AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR DRAINAGE REPAIRS AND RECONSTRUCTION OF AN EXISTING RETAINING WALL AT FIRE STATION NO. 1, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, the City's Fire Chief and Public Service Director recently determined that immediate repairs are necessary at Fire Station No. 1, on Webster Road, in order to alleviate drainage problems and reconstruct an existing retaining wall; and

WHEREAS, therefore, it accordingly is immediately necessary to contract with an existing qualified and readily available local City contractor, which can promptly make the required drainage repairs and improvements to the retaining wall at Fire Station No. 1, in order to protect the health, safety, welfare and property of the City, its officers, employees, agents and guests.

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 a real and present emergency in the operation of the Fire Department of the City of Strongsville, and that it is immediately necessary to enter into a contract, without public bidding, with **MARKS CONSTRUCTION, INC.**, in order to make necessary drainage repairs and improvements to an existing retaining wall at Fire Station No. 1, on Webster Road, in order to protect the health, safety, welfare and property of the City, its officers, employees, agents and guests.

Section 2. That, for the reasons aforesaid, this Council hereby approves and authorizes the Mayor's entering into a contract with Marks Construction, Inc., without public bidding, in an amount not to exceed \$21,980.00, for labor and materials, for drainage repairs and reconstruction of an existing retaining wall at Fire Station No. 1, as more fully set forth in Exhibit A attached hereto and incorporated herein by reference, and in a form approved by the Law Director.

Section 3. That the funds for the purpose of the aforesaid expenditure have been appropriated and shall be paid from the Fire Levy Fund.

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, 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 5. 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, and for the further reason that the within contract is immediately necessary in order to maintain the facilities and operations of the Fire Department, and to protect the health, safety, welfare and property of the City, its officers, employees, agents and guests at Fire Station No. 1. 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.

Michael J. Daymut
President of Council

Approved: Thomas B. Burier
Mayor

Date Passed: July 20, 2015

Date Approved: July 21, 2015

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

Attest: Cheryl Menezel
Assistant Clerk of Council

ORD. No. 2015-146 Amended: _____
 1st Rdg. 07/20/15 Ref: _____
 2nd Rdg. suspended Ref: _____
 3rd Rdg. suspended Ref: _____

Pub Hrg. _____ Ref: _____
 Adopted: 07/20/15 Defeated: _____

MARKS CONSTRUCTION, INC. -

**5855 CENTER ROAD
VALLEY CITY, OH 44280
330-273-3121
330-220-6622 FAX**

Estimate

DATE	ESTIMATE #
4/8/2015	2035

NAME / ADDRESS
CITY OF STRONGSVILLE MIKE GALLAGHER 16099 FOLTZ PARKWAY STRONGSVILLE, OHIO 44149 440-580-3176

TERMS: DUE UPON RECEIPT UNLESS OTHERWISE SPECIFIED OR AGREED UPON BETWEEN CONTRACTOR AND PROPERTY OWNER. NET 30, 2% service charge per month, 24% per year on past due balance, CUSTOMER, agrees to pay all collection, attorney, and/or court costs incurred by the SELLER in the event it is necessary to enforce payment.

DESCRIPTION	QTY	COST	TOTAL
PROPOSAL FOR FIRE STATION - PROPOSAL B - WATER SEEPAGE			
REGRADING TO CREATE POSITIVE DRAINAGE AWAY FROM BUILDING			
REMOVE TREES AND SHRUBS		300.00	300.00
DIG DOWN AROUND FOUNDATION TO EXISTING STONE OR APPROX. 2 FT DEPTH		3,000.00	3,000.00
CLEAN UP WALLS AND THOROUGH SEAL		1,800.00	1,800.00
ADD FOR SPRAY ON MEMBRANE "QUICK SEAL" TO EXPOSED AREA		1,380.00	1,380.00
*PLACE FLEXIBLE MEMBRANE AROUND EXCAVATED AREAS PLACED ON SLOPE AWAY FROM BUILDING		2,800.00	2,800.00
PLACE #34 WASHGRAVEL OVER MEMBRANE - 6 FT OUT		2,900.00	2,900.00
***INDICATES IF ITEM IS REQUESTED		0.00	0.00

SIGNATURE _____

TOTAL

\$12,180.00

EXHIBIT A

MARKS CONSTRUCTION, INC. -

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VALLEY CITY, OH 44280
330-273-3121
330-220-6622 FAX**

Estimate

DATE	ESTIMATE #
4/8/2015	2036

NAME / ADDRESS
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DESCRIPTION	COST
PROPOSAL FOR FIRE STATION - PROPOSAL C - RETAINING WALL	
LANDSCAPE MULCH AND GRAVEL BY OWNER	
CHOICE (A) RESTACK AND REGRADE RETAINING WALLS	11,600.00
STONE BEHIND WALL - SUPPLIED BY OWNER	
NO GUARANTEE	
CHOICE (B) HAUL AWAY EXISTING RETAINING WALL	9,800.00
PLACE BOULDER RETAINING WALLS	
APPROX. 45 TON - 60 TON SANDSTONE FROM LAKE MILTON AREA	
SIZE AVERAGE 2 FT X 3 FT	
REGRADE AS NEEDED	

SIGNATURE _____