

BRUNSWICK CITY SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

Agenda

APRIL 12, 2021

6:00 PM

or immediately following the Safety & Environment Committee Meeting

1. Discussion Items

RES. NO. 36-2021 - An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2021-2022 winter season. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

RES. NO. 37-2021 - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, INC. for the 2021 Asphalt Road Program in an amount not to exceed \$1,150,250.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

2. General Discussion

3. Adjournment

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 4/12/2021

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 36-2021** - An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2021-2022 winter season. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Paul Barnett*)

BACKGROUND: The ODOT Office of Contracts Purchasing Services provides the opportunity for municipal corporations to participate in the State's purchase of sodium chloride (road salt) for snow and ice removal.

PURPOSE AND EXPLANATION: This agreement would allow the City to purchase sodium chloride (road salt) through the ODOT contract. The provides an economy of scale that typically provides lower prices than the City can receive on its own and helps the City keep salt costs as low as possible. The City of Brunswick has participated in this program in the past years with benefit.

IMPLEMENTATION SCHEDULE: The participation agreement deadline to have submitted completed legislation and the committed quantity of sodium chloride is no later than April 30, 2021.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: Per ton salt price and purchasing requirements would be based on the new ODOT contract that is yet to be determined. Purchases will be limited to Council adopted budget and the certified purchase order amount in accordance with Ohio Revised Code Section 5705.41D.

Amount: 2,750 tons
Account: Salt & Cinders (117-0420-55300)

RECOMMENDED ACTION:

One Reading Yes

Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and so that the legislation will be enacted and delivered to ODOT prior to the their April 30, 2021 deadline.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 36-2021

BY: Mr. Abella, Mr. Ousley and Mr. Capretta

AN EMERGENCY RESOLUTION AUTHORIZING PARTICIPATION IN THE
OHIO DEPARTMENT OF TRANSPORTATION WINTER CONTRACT FOR
ROAD SALT FOR THE 2021-2022 WINTER SEASON.

WHEREAS: Ohio Revised Code Section 5513.01(B) provides the opportunity for political subdivisions to participate in contracts of the Ohio Department of Transportation (“ODOT”) for purchase of supplies, including road salt; and

WHEREAS: The City has participated in ODOT contracts for road salt in past years, which participation minimizes road salt costs and price increases.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: The City Manager is hereby authorized and directed, upon the approval of the Law Director, to enter into all necessary agreements with ODOT for the purchase of road salt for the 2021-2022 winter season upon the following terms:

- a) The City agrees to be bound by all terms and conditions established by ODOT in the Winter Contract for Road Salt (the “Contract”) and acknowledges that upon award of the Contract by the Director of ODOT, the City will be bound by all such terms and conditions contained therein.
- b) The City hereby acknowledges that upon formal execution of the Contract by the Director of ODOT, a contract between the City and the awarded road salt supplier (the “Supplier”) shall be created.
- c) The City hereby agrees to be solely responsible for resolving all claims or disputes arising out of the participation in the Contract and agrees to hold ODOT harmless from any claims, actions, expenses or other damages arising therefrom.
- d) The City hereby requests a total of 2,750 tons of Sodium Chloride (road salt), which the City agrees to purchase from the Supplier at the delivered price per ton as per the Contract.
- e) The City hereby agrees to purchase a minimum of 90% of the above requested road salt quantity from Supplier during the effective period of the Contract from September 1, 2021 through April 30, 2022.
- f) The City hereby agrees to place orders with and directly pay the Supplier on a net 30 basis for all road salt delivered pursuant to the Contract.
- g) The City hereby acknowledges that should the City wish to rescind its election to participate under the Contract, the City will do so no later than Thursday, June 1, 2021 by sending a written email request to ODOT Office of Contract Sales, Purchase Section at Contracts.Purchasing@dot.ohio.gov. Upon receipt, ODOT shall respond that it has received the rescission request

and confirm removal of the City's request to participate in the Contract. The City hereby acknowledges that it is the sole responsibility of the City to ensure that ODOT has timely received this Resolution and/or any rescission request and ODOT shall not be held responsible or liable for failure to timely receive the City's request to participate in the Contract and/or any rescission request.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that this Resolution must be submitted to ODOT by April 30, 2021 to allow for participation in the Contract for the 2021-2022 winter season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam, CMC

PROPOSED LEGISLATION



DATE: 4/12/2021

TO: Vice Mayor Michael Abella Jr. and Members of City Council

FROM: Carl S. DeForest, City Manager
Matt Jones

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 37-2021** - An emergency resolution authorizing the City Manager to enter into an agreement with Konstruction King, INC. for the 2021 Asphalt Road Program in an amount not to exceed \$1,150,250.00. - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

BACKGROUND: Authorization for public bid granted by City Council motion on March 8, 2021. Konstruction King's bid for this project was the lowest and best bid received.

PURPOSE AND EXPLANATION: The proposed project will remove and replace deteriorated concrete pavement joints/slabs and install a chip seal interlayer 1.5" asphalt overlay, and chip seal wearing course with mastic surface seal on various residential streets in Wards 1 and 2. Concrete repairs in Wards 3 and 4 will occur under a separate program which is forthcoming. This project is being partially funded by the Road Levy.

IMPLEMENTATION

SCHEDULE: The project is anticipated to commence in May and be completed in September.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

Amount: \$1,150,250.00. The priority order of funds & account codes will go in the following order: Fund #332 Road Levy Improvement Fund account#332-0473-56881; then Fund #117 Street R&M Fund 117-0420-56881 and if any other cost remainder would go to Fund #333 Road Capital Projects Fund account#333-0474-56870.

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No

Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of a municipality, and for the further reason that this project may commence and be completed during the 2021 construction season.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 37-2021

BY: Mr. Abella, Mr. Ousley and Mr. Capretta

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KONSTRUCTION KING, INC. FOR THE 2021 ASPHALT ROAD PROGRAM IN AN AMOUNT NOT TO EXCEED \$1,150,250.00.

WHEREAS: The City of Brunswick received five (5) bids for the 2021 Asphalt Road Program (the "Program"), in accordance with public bidding requirements; and

WHEREAS: The five (5) received public bids were opened on April 7, 2021 with Konstruction King, Inc. determined to be the lowest and best bidder.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Konstruction King, Inc., the lowest and best bidder, for the 2021 Asphalt Road Program in an amount not to exceed \$1,150,250.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Program during the 2021 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Fijabi Julien-Gallam, CMC