

## CITY OF TALLMADGE BOARD OF CONTROL

**Minutes of Regular Meeting Scheduled For:** Friday, March 12, 2021 @ 9 a.m.

**Members Present:** Mayor Kline, Finance Director Gilbride, Pres. of Council Kilway, Svs. Director Rorar (4 members voting/Raber unavailable)

**Meeting Chaired By:** Mayor Kline **Minutes:** Karen Morgan

**Item 1) Call To Order and Approval of Minutes for the February 26, 2021 B.O.C. meeting.**

The TEAMS meeting was called to order by the Mayor at 9:05 a.m. Kilway moved to approve the minutes of the February 26<sup>th</sup> meeting; seconded by Rorar. Vote to approve: 4/0.

**Item 2) Authorizing the Mayor to enter into a contract for *pavement maintenance* with Karvo Companies. The base bid was \$395,455.84, with an alternate bid #1 of \$118,995.37 and an alternate bid #2 of \$105,608.19 as authorized in Ord. 1-2021.**

Rorar: We got 10 bidders in that day and all the bids were really close to each other. Karvo came in with this price which is a great price for the asphalt. They've been around for a long time and there's no question about their ability to do the work. I'd recommend doing the base bid and I know we're kind of stuck on the alternates for the time-being after last night's council meeting. So I'm not sure how we should move forward on that. If we award the 2 alternates, they would still be the lowest bidder, so can we award the base and then go back and pick up the alternates after more discussion? Mayor: Mike, how much was in your budget? Sorry, I don't have my paperwork here maybe Mollie does. Was it \$500,000? Rorar: Yes. Mayor: Can you tell me what alternate B and C is? Rorar: Alternate B is Osceola and Geneva, and C is Elm. Kilway: If we do both alternate bids, it's like \$14,407 over the budget which is like 3%. Are we allowed to approve this? Gilbride: We don't have that budget because the concrete bid that he wants to award later is over budget. My calculation is that we don't have but maybe \$25,000. Because we're going to enter into a contract with Akron to do Kennedy Drive – that needs to come out of this funding, that's not an additional appropriation. So I don't feel at a Board of Control meeting we can award any contract or alternate outside of what is authorized in the budget. Mayor: So the question is, I'll make the motion that we accept the base bid from Kargo at \$395,455.84; seconded by Kilway. My goal is to go back to council for a reappropriation to pick up the alternate bids. Mollie, can it be done this way? Gilbride: I don't know how long you have to award the contract. I don't know the legal rules about how long after the bids are submitted that you have to award the contract. I guess you could probably do it as a "change order" to the contract. Mayor: Since they've already bid the alternates, the change order could be that we've elected to, now that we have different funding, to pick up the alternates. Gilbride: What funding? Mayor: Only if council approves. Kilway: The problem is, we don't meet again until April unless they do a special council meeting which I would be OK with calling, in order to get this good price. Mayor: I guess we need a legal opinion, but on the table today is the base bid and we are going to vote on that so that Karvo knows that we are accepting their base bid and will be asking for a legal opinion to see if – since they've already bid it, we will go with

the alternates. Mayor: Mike, what happens if you add A, B and C at Karvo's bid rates, is Karvo still the low bidder? Rorar: Yes they would still be the lowest. Vote to approve: 4/0.

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**Item 3) Authorizing the Mayor to enter into a contract for *pavement marking* with Rader Line, LLC. This will be awarded as an alternate bid. The base bid was \$70,490.40 and the alternate bid was \$66,999.39. The alternate bid has them working between 7 pm and 5 am. This is authorized in Ord. 2-2021.**

Rorar: We had 5 bidders for this. The prices came in pretty good and I would recommend doing the alternate at \$66,999.39. The pavement marking would be done at night. They're a new company but the owner has done a lot of pavement marking for other companies. He went out on his own last year and the City of Solon hired him to do their street work. They've hired him again for this year. We went down and inspected his equipment and he definitely has all the equipment he would need to do the work so I would recommend hiring Rader Line, LLC.

Mayor: Mike, doing spray painting and straight lines and all of the stuff that's in the contract at night when the weather is cooler and there is dew on the ground, is there an issue with the paint drying in time? Rorar: Yes, he cannot do it on those nights and he is well aware of that. He would not work on a dewy night for sure. Mayor: So, between A and B for every one of these is exactly the same thing except night time vs. day time, right? Rorar: Correct. Mayor: So they just kept the price the same no matter if they worked day or night? Rorar: Yes. Mayor: And Rader Line, LLC is a Tallmadge business located on Southeast Avenue, correct? Rorar: Yes. Kilway: I move to authorize the Mayor to enter into the alternate contract for pavement marking with Rader Line, LLC. for \$66,999.39; seconded by Rorar. Vote to approve: 4/0.

**Item 4) Authorizing the Mayor to enter into a contract for *concrete maintenance & repair* To CemenTech Inc. The base bid was \$115,752.50, with an alternate bid #1 of \$103,920.00 and alternate bid #2 of \$85,106.00. This is authorized in Ord. 3-2021.**

Rorar: We ended up getting I think 7 bids for our cement and concrete work. The base bid is mostly sidewalks and very little street work. The alternates are 2 streets, Fawnwood and Olde Orchard (alternate #1) and the fire station parking lot is alternate #2. The prices were great. CemenTech, if you award the base and alternate #2 which has been budgeted for, was the lowest bidder. If you award the base bid and alternates #1 **and** #2, they are not the lowest bidder; however, they do get the "3 % local preference" and would become the lowest bidder at that point. So no matter how you decide to do it today, just the base bid and alternate#2, or all 3, CemenTech is the lowest bidder. Mayor: Can you explain for the record, CemenTech if you're looking at the document in front of you, A, B and C - \$304,000 is the addition of A, B and C – the base and the alternates together. Mayor: I make a motion to enter into a contract for concrete maintenance & repair to CemenTech for item A, the base bid, and alternate C for the fire station parking lot; seconded by Kilway. Mayor: CemenTech is also located in Tallmadge on Southeast Avenue and he's done a great job for us in the past. I'm glad to see they got the low bid. Vote to approve: 4/0.

**Item 5) Authorizing the Mayor to enter into a contract for *fiber installation* at Maca Park**

**To Custom Utilicom, Inc. in the amount of \$66,998.67. This was authorized in Ord. 25-2021.**

Mayor: We did have a bid opening but there was only one bidder. This bid was below the engineer's estimate and Custom Utilicom, Inc. is well-known in the industry. A question was

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asked at Council as to when this would be completed. As a part of the contract, it is to be completed *prior to* Maca Park opening for the season. I move to approve the contract for fiber installation at Maca Park to Custom Utilicom, Inc. in the amount of \$66,998.67; seconded by Kilway. Vote to approve: 4/0.

**Item 6) Additional Items?**                      None.

**Item 7) Adjournment.**                      The meeting was adjourned at 9:20 a.m.

*Board of Control minutes distributed electronically March 18, 2021/km*