



NOTICE: SPECIAL COUNCIL MEETING
MONDAY, APRIL 3, 2021
Immediately following Committee Work Session

AGENDA

CALL TO ORDER, PLEDGE OF ALLEGIANCE, MOMENT OF REFLECTION

ROLL CALL

INTRODUCTION OF PRIOR LEGISLATION

Amended Ord. No. 22-2023 Second Reading: An ordinance authorizing the purchase of two precast box culverts from Mack Industries in an amount not to exceed \$149,086.00; and declaring an emergency. (Service – Tousley)

ADJOURN

****NOTE: During a meeting a live video stream can be accessed by going to www.cityofnorton.org and clicking on the icon below for instructions ****



Emailed to Media on 3/31/23
Posted & Distributed on 3/31/23

SPONSORED BY: Administration
REFERRED TO: Committee Work Session
INTRODUCED BY: Service Chair Tousley

CITY OF NORTON

AMENDED ORDINANCE NO. 22-2023

AN ORDINANCE AUTHORIZING THE PURCHASE OF TWO PRECAST BOX CULVERTS FROM MACK INDUSTRIES IN AN AMOUNT NOT TO EXCEED \$149,086.00; AND DECLARING AN EMERGENCY.

WHEREAS, as part of the widening and resurfacing of Eastern Road and in order to repair the failed culvert on Kungle Road, it is necessary for the City to purchase and install two precast concrete box culverts; and

WHEREAS, the City Engineer has solicited quotes from the only two precast culvert manufacturers within a 60 mile radius; and

WHEREAS, the City Engineer has received a quote from Mack Industries (“Vendor”) in the form attached hereto as **Exhibit A** (the “Quote”) for the purchase of two precast concrete box culverts as further described in the Quote (the “Culverts”) in the amount not to exceed \$149,086.00 (the “Purchase Price”);

WHEREAS, the City Engineer has recommended that the City proceed to purchase the Culverts from the Vendor as the lowest cost provider of the Culverts due to the long lead times associated with the manufacture of the Culverts; and

WHEREAS, this Council has determined it is necessary to declare an emergency and to suspend the competitive bidding requirements of Section 5.02(E) of the Charter to purchase the Culverts from the Vendor pursuant to the Quote, this Council having determined that the two vendors solicited by the City Engineer are the only two manufacturers of the Culverts within a 60-mile radius of the City and the long leads time associated with the manufacture of the Culverts requires the City to timely proceed with the purchase of the Culverts.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Norton, Counties of Summit and Wayne, Ohio, that:

- Section 1: This Council hereby authorizes the purchase of the Culverts from the Vendor in accordance with the Quote in an amount not to exceed \$149,086.00.
- Section 2: This Council hereby authorizes the Administrative Officer and the Director of Finance to take such actions as shall be necessary to acquire the Culverts in accordance with the Quote and this Ordinance.
- Section 3: All formal actions of this Council related to this Ordinance and all deliberations of the Council and of any of its Committees that resulted in such formal action

were in meetings open to the public in compliance with all legal requirements, including section 121.22 of the Ohio Revised Code.

Section 4: This Ordinance is an emergency measure necessary for the preservation of the public peace, health, safety, convenience, and welfare of the City of Norton and the inhabitants thereof, and permits the City to timely complete the necessary repairs to Eastern and Kungle Road, and provided it receives the approval of two-thirds of the members of Council, shall be in full force and effect from and after its passage and approval by the Mayor, or otherwise take effect and be in full force from and after the earliest period allowed by law.

Emergency Vote: ____ Yeas ____ Nays

Date Passed: _____

Paul Tousley, President of Council

Date Submitted to the Mayor _____

Attest: _____
Kerry Macomber, Clerk of Council

Mike Zita, Mayor

Date Approved by the Mayor _____

I, Kerry Macomber, Clerk of Council for the City of Norton, Summit and Wayne Counties, Ohio do hereby certify that the foregoing **Amended Ordinance No. ____-2023** was duly and regularly passed by the Council of the City of Norton, Summit and Wayne Counties, Ohio at a meeting held on _____, 2023.

That this legislation was posted according to law on _____, 2023 and will become effective on _____, 2023.

Kerry Macomber Clerk of Council

Prepared and approved as to legal form by Justin P. Markey, Solicitor for the City of Norton, Ohio, on March 23, 2023.

Amended Ord. No. 22-2023 Exhibit A

Mack Industries, Inc -MIVC

201 Columbia Road
Valley City, OH 44280

Tel: (330) 483-3111
Fax: (330) 483-3507

"QUALITY PRECAST PRODUCTS SINCE 1932"

VISIT US AT: www.mackconcrete.com

Customer: ALL BIDDERS

Address:

City/State:

FAX:

ATTN:

PHONE:

Quote#: QV

Project: EASTERN ROAD

Location: NORTON, OH

Bld Date: 3/16/23

QUOTATION

Quantity	Item#	Description of Materials	Unit Price	TOTAL
56 lin.ft.		9' x 6' SINGLE CELL, 4-SIDED, BOX CULVERT in accordance with ASTM C-1577 (HL-93 Load Rating) based on 0 to 5 feet of cover, built in 1 phase and comprised of the following :	\$769.00	\$ 43,064.00
		9 precast sections with an avg. lay length of 6.23' and approx. heavy lift of 14.17 tons, Joint Sealer and Primer, 2 skewed end(s) per plans, Inserts for Headwall(s).		
2		HEADWALLS reinforced with epoxy coated rebar, dimensions a.p.p.	\$785.00	\$1,570.00
4		L SHAPED WING WALLS reinforced with epoxy coated rebar, bottom of precast wall 0.75 feet below invert Approx. Heavy Lift for WW(s) is 5.47 tons. WW waterproofing or coatings are NOT included.	\$4,526.00	\$18,104.00
CONDUIT (Box Culvert) price is based on Delivered Only (unloading, excavation and installation by other than Mack), Headwalls are estimated as being attached to the box culvert at Mack Ind. production facility. Price is based on Mack Ind. standard design being accepted, L-shaped Wing Walls pinned to CIP Footers (Pinning and CIP Footers by other than Mack)				
			TOTAL	\$62,738.00

The price listed is a cash price and payments shall be due 30 days after the date of the invoice. If the cash price is not paid timely a time price differential shall be applied by adding 2% per month (annual percentage rate 24%) to the unpaid balance on all amounts for 60 days from the date of this quote. Any performance of this contract after 30 days may result in a change in price. (Sales Tax not included in price, add if applicable)

Unload times are estimated at 90 minutes per truck. Any trucks detained longer than 90 minutes will be subject to a \$125 per half hour charge per truck detained.

MACK SALES REPRESENTATIVE: **Bill Keller**

Purchaser X: _____

(Pricing listed above includes only those items. It is the purchaser's responsibility to get clarification, in writing from a Mack Industries representative, if there are questions as to what is or is not included in verblage, prior to signing of order)

Date: _____

Mack Industries, Inc -MIVC

201 Columbia Road
Valley City, OH 44280

Tel: (330) 483-3111
Fax: (330) 483-3607

"QUALITY PRECAST PRODUCTS SINCE 1932"

VISIT US AT: www.mackconcrete.com

Customer: ALL BIDDERS

Address:

City/State:

FAX:

ATTN:

PHONE:

Quote#: QV

Project: KUNGLER ROAD

Location: NORTON, OH

Bld Date: 3/29/23

QUOTATION

Quantity	Item#	Description of Materials	Unit Price	TOTAL
52 lin.ft.		11' x 6' SINGLE CELL, 4-SIDED, BOX CULVERT in accordance with ASTM C-1577 (HL-93 Load Rating) based on 0 to 5 feet of cover, built in 1 phase and comprised of the following : 9 precast sections with an avg. lay length of 5.78' and approx. heavy lift of 20.62 tons, Joint Sealer and Primer, 2 skewed end(s) per plans, Inserts for Headwall(s).	\$1,045.00	\$ 54,340.00
2		HEADWALLS reinforced with epoxy coated rebar, dimensions a.p.p.	\$1,114.00	\$2,228.00
4		L SHAPED WING WALLS reinforced with epoxy coated rebar, bottom of precast wall 0.92 feet below invert Approximate Heavy Lift for Wingwall(s) is 13.79 tons.	\$7,445.00	\$29,780.00
<p>CONDUIT (Box Culvert) price is based on Delivered Only (unloading, excavation and installation by other than Mack), Headwalls are estimated as being attached to the box culvert at Mack Ind. production facility. Price is based on Mack Ind. standard design being accepted, L-shaped Wing Walls pinned to CIP Footers (Pinning and CIP Footers by other than Mack)</p>				
			TOTAL	\$86,348.00

The price listed is a cash price and payments shall be due 30 days after the date of the invoice. If the cash price is not paid timely a time price differential shall be applied by adding 2% per month (annual percentage rate 24%) to the unpaid balance on all amounts for 60 days from the date of this quote. Any performance of this contract after 30 days may result in a change in price. (Sales Tax not included in price, add if applicable)

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