

VILLAGE OF BOSTON HEIGHTS	Codified?	First Reading _____	Waiver 3-Reading Rule _____
RESOLUTION NO: 2026-7-37	Yes _____	Second Reading <u> X </u>	Yes <u> X </u>
INTRODUCED BY _____	No <u> X </u>	Third Reading _____	No _____

A RESOLUTION TO AWARD THE 2026 PAVING PROGRAM TO PROTECT-A-COTE, INC.; AND DECLARING AN EMERGENCY

WHEREAS, the Village of Boston Heights previously advertised for bids for the 2026 Paving Program (the “Improvement”), which is a part of the Village’s previously adopted Capital Improvement Program; and

WHEREAS, the Mayor and the Village Engineer have reviewed the seven (7) different bids for the Improvement, and Protect-A-Cote, Inc. (the “Contractor”) has been determined to be the lowest and best bidder for the Improvement as evidenced in Exhibit “A;” and

WHEREAS, in order to proceed in a timely manner with this Improvement, the Mayor hereby requests authorization from the Council of the Village to award a contract to the Contractor.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Boston Heights, Summit County, Ohio, as follows:

Section 1. That the Village received seven (7) submissions from qualified contractors after the public bidding process.

Section 2. That the contractors submitting qualifications have been evaluated, and upon review of references, equipment, materials, suppliers, subcontractors, and all documents submitted as required by the bid documents, Protect-A-Cote, Inc. had the lowest and best qualifying bid and is otherwise considered and found to be the most qualified, as set forth in Exhibit “A,” which is incorporated herein.

Section 3. That the Mayor and his designee are hereby authorized and directed to negotiate, enter, and administer a contract with Protect-A-Cote, Inc., the contractor most qualified to perform the required services, for the Improvement at a compensation determined in writing to be fair and reasonable but not to exceed \$204,054.00.

Section 4. That the contract negotiations by the Mayor with the selected Contractor will be directed toward:

- (A) Ensuring that the Contractor and the Village have a mutual understanding of the essential requirements involved in providing the required services;
- (B) Determining that the Contractor will make available the necessary personnel, equipment, and facilities to perform the services within the required time; and

- (C) Agreeing upon compensation, which is fair and reasonable, taking into account the estimated value, scope, complexity, and nature of the services.

Section 5. That Village Council hereby awards the contract to Protect-A-Cote, Inc. for the Village's 2026 Paving Program in the amount of its Base Bid of \$204,054.00. All informalities (errors or omissions) in the Contractor's bid response are waived.

Section 6. That the aforesaid recitals are rendered to be the findings of this Council and are hereby incorporated into this Resolution.

Section 7. That it is found and determined that all formal actions of the Council relating to the adoption of this Resolution were taken in a duly noticed open meeting of this Council and that all deliberations which resulted in formal action were taken in meetings open to the public, in full compliance with all applicable legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 8. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and to allow for the timely engagement of Protect-A-Cote, Inc. in order to complete the Improvement during good weather, and for continued operations of the Village Engineer's office and other departments and shall, therefore, take effect and be in force from and immediately after its passage.

PASSED:

RON ANTAL, MAYOR

ATTEST:

I, Scott Varney, Fiscal Officer and Clerk of the Council for the Village of Boston Heights, Summit County, Ohio do hereby certify that the foregoing **Resolution 2026-7-37** was duly passed by the Council of the Village of Boston Heights, County of Summit, State of Ohio at a meeting of Council on this **28th day of July 2026**.

SCOTT VARNEY, FISCAL OFFICER