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CITY OF NORTH CANTON, OHIO  
BOARD OF CONTROL

**TRANSCRIPT OF  
FEBRUARY 25, 2020, MEETING**

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Transcript of Proceedings of the North Canton Board of Control, taken by me, the undersigned, Laurie Maryl Jonas, a Registered Merit Reporter and Notary Public in and for the State of Ohio, at North Canton City Hall, 145 North Main Street, North Canton, Ohio, on Tuesday, February 25, 2020, at 2:00 p.m.

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APPEARANCES:

Patrick A. DeOrion, Director of Administration

Timothy L. Fox, Director of Law

Jina Alaback, Director of Finance

Stephan B. Wilder, Mayor

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1 MR. DEORIO: Well, it is two o'clock. I'd  
2 like to call the meeting of the North Canton Board of  
3 Control to order. I will call the roll. Member  
4 DeOrio, speaking, is here.

5 Member Wilder?

6 MAYOR WILDER: Here.

7 MR. DEORIO: Member Alaback?

8 MS. ALABACK: Here.

9 MR. DEORIO: Member Fox?

10 MR. FOX: Here.

11 MR. DEORIO: Let the Record reflect also that  
12 City Engineer Robert Graham is with us.

13 On your agenda, the first item is to review  
14 the minutes from the January 21, 2020, meeting.  
15 They're in your packet. Are there any additions or  
16 modifications? If not, I'd entertain a motion to  
17 approve as submitted.

18 MS. ALABACK: Motion to approve.

19 MR. FOX: Second.

20 MR. DEORIO: Moved and seconded. All those  
21 in favor, signify by saying "aye."

22 ("Aye" in unison.)

23 MR. DEORIO: Opposed? Motion carries.

24 Item No. 2, the Northfield Avenue, Southeast,  
25 sanitary sewer replacement project. Mr. Graham,

1 would you enlighten us.

2 MR. GRAHAM: Yes, sir. Thank you,  
3 Mr. DeOrion.

4 We opened bids back on February 14 for the  
5 Northfield sanitary sewer project. We had allocated  
6 in the budget both in '19 and brought forward in 2020  
7 \$750,000. On the 14th, we opened bids and I've  
8 determined that our lowest and best bid was submitted  
9 by Wenger Excavating, Inc., a contractor we've worked  
10 with numerous times in the city. Very good  
11 contractor, very reliable guys. Their low bid was  
12 \$745,436.50, and we also had an alternate bid so we  
13 paved Knoll, it's a good price, we might do a PO or  
14 something later on, but with the 750 allocation we  
15 won't be able to award that as part of this contract.

16 And also on the bid tab you'll note that  
17 Cementech was second place, was \$755,586.50. When we  
18 actually read the bid, they had a math error in  
19 there. It was 7756 but didn't make a difference as  
20 to who the low bidder was, and we'll get to the  
21 similar error very shortly.

22 So I guess with that, I would make the  
23 recommendation to the board of control that we go  
24 ahead and award that \$745,436.50 contract to Wenger  
25 Excavating, Inc., for the Northfield Avenue,

1 Southeast, sanitary sewer replacement project.

2 MR. DEORIO: Any discussion?

3 MAYOR WILDER: I make a motion to accept the  
4 bid as stated and reported by Mr. Graham.

5 MR. DEORIO: It's been moved. Is there a  
6 second?

7 MR. FOX: Second.

8 MR. DEORIO: Moved and seconded. All those  
9 in favor, signify by saying "aye."

10 ("Aye" in unison.)

11 MR. DEORIO: Opposed? Aye's have it.

12 Next item on our agenda is the Pineview  
13 Avenue, Southeast, reconstruction project.  
14 Mr. Graham.

15 MR. GRAHAM: Thank you, Mr. DeOrio.

16 The other bid we opened that day back on  
17 February 14 was the Pineview Avenue, Southeast,  
18 reconstruction project. That one we had allocated  
19 600,000 in the 2020 budget, which I thought was too  
20 high of a number but we just kind of left it there.  
21 I believe the lowest and best bid was determined, of  
22 the five bidders, was submitted by Superior Paving &  
23 Materials, Inc., and that amount is \$315,339.00. And  
24 if you look at the bid tab, the third bid was  
25 submitted by Cementech, Inc. When we opened the bids

1 and read it, it said 314,749. But they summed all  
2 their columns wrong. Found that they clearly had a  
3 math error and our bid documents clearly say that the  
4 correct sum is the submitted price. So with that,  
5 they were 354,749. I talked to them that day, and  
6 they had a photocopy and admitted they had made a  
7 mistake, were going back to doublecheck it, haven't  
8 heard from them.

9 So that said -- and also I failed to mention  
10 on the Wenger one, but this one as well and the next  
11 one there's no findings for the coverage as well with  
12 Superior Paving, so with that, I would recommend to  
13 the board of control that we award the Pineview  
14 Avenue, Southeast, reconstruction project to Superior  
15 Paving & Materials, Inc., in the amount of think  
16 \$315,339 even.

17 MR. DEORIO: Discussion? Do we have a  
18 motion?

19 MAYOR WILDER: I make the motion to accept  
20 the report by Engineer Graham to -- for the Pineview,  
21 Southeast, reconstruction project as stated amount.

22 MR. DEORIO: Is there a second?

23 MR. FOX: Second.

24 MR. DEORIO: Moved and seconded. All those  
25 in favor, signify by saying "aye."

1 ("Aye" in unison.)

2 MR. DEORIO: All opposed? Motion carries.

3 Last item on our agenda is the 2020 city  
4 paving program. Mr. Graham.

5 MR. GRAHAM: Thank you, Mr. DeOrio.

6 We opened bids for our annual paving program  
7 this past Friday on February 21. We had four -- five  
8 bidders again for this one. Our allocation in the  
9 2020 budget was \$350,000. The low bid -- and we had  
10 an alternate bid for this one as well for the  
11 Mr. Manhole process, the concrete gray, color gray,  
12 kind of see our sanitary and storm sewer manholes,  
13 how we bring it up to grade. Base bid -- or the low  
14 bid was submitted to Superior Paving & Materials,  
15 Inc. Their amount was \$297,902.50 on the base bid.  
16 Their alternate bid price was \$31,725. When you sum  
17 those two, the sum is \$329,627.50, and that was still  
18 the lowest bid of the five received, including the  
19 base and the alternate. With that, again, Superior  
20 had our paving last year, did a great job, were  
21 pretty done by the end of May, actually.

22 With that, I would recommend to the board of  
23 control to award our 2020 street maintenance and  
24 paving program to Superior Paving & Materials, Inc.,  
25 in the amount of \$329,627.50.

1 MR. DEORIO: Mr. Graham, would you care to  
2 share with the board what the process is on all of  
3 these projects in general as it relates to  
4 notification to the losing bidders?

5 MR. GRAHAM: Yes. What we do is our staff  
6 sends out basically a letter that thanks the  
7 unsuccessful bidders who weren't deemed lowest and  
8 best for each respective project. We forward  
9 basically a "sorry you lost" letter, for lack of a  
10 better term, and thanking them for their time and  
11 interest in the City of North Canton projects, and we  
12 forward that after the board makes its award, and in  
13 compliance with the Ohio Revised Code's recent change  
14 a couple years ago we then send out the bid tab. The  
15 bid tab we can send out after it's awarded. In the  
16 past we used to let them look at the bids right on  
17 the counter after we tore them open. So that's our  
18 process. We send the letter with that bid tab and we  
19 also send their bond information back.

20 MR. DEORIO: And then how -- we send that  
21 just ordinary mail?

22 MR. GRAHAM: We send it ordinary mail.

23 MR. DEORIO: Okay. And how long do we keep  
24 the information regarding these bids and who lost and  
25 all that?

1 MR. GRAHAM: We put them in the file. And we  
2 have to keep them for a minimum of seven years is my  
3 understanding.

4 MR. DEORIO: Yeah. Any further discussion?

5 MR. FOX: No. I just point out, as you  
6 mentioned, it's nice that we have so many bidders for  
7 these. I mean, the one for Pineview Avenue, I don't  
8 know if I've seen one quite as close. The No. 2 was  
9 0.2 percent --

10 MR. GRAHAM: Right.

11 MR. FOX: -- in price. Very competitive.

12 MR. GRAHAM: Actually one, the Cementech bid,  
13 before we discovered the mistake, was a third one in  
14 there was \$600 cheaper so we thought we had three  
15 within \$1,100.

16 MR. FOX: And I acknowledge the diligence of  
17 the engineering department to follow up on the math.  
18 Otherwise, someone else, another bidder, may do the  
19 math a little bit later and things tend to go  
20 sideways when something like that happens, so thank  
21 you for your diligence in that.

22 MR. DEORIO: And the Record should reflect  
23 that the finance director is smiling with glee at  
24 these low numbers.

25 So we would be looking to have a motion to

1 award this to Superior Paving in the amount of  
2 \$329,627.50, which includes the alternate manhole  
3 adjustment.

4 MAYOR WILDER: I so move on the motion.

5 MR. DEORIO: So moved. Is there a second?

6 MS. ALABACK: Second.

7 MR. DEORIO: Moved and seconded. All those  
8 in favor, signify by saying "aye."

9 ("Aye" in unison.)

10 MR. DEORIO: All opposed? Aye's have it.  
11 Being that there are no other items on the  
12 agenda, I'll entertain a motion to adjourn.

13 MS. ALABACK: Moved.

14 MR. DEORIO: Is there a second?

15 MR. FOX: Second.

16 MR. DEORIO: All those in favor, signify by  
17 saying "aye."

18 ("Aye" in unison.)

19 MR. DEORIO: We are adjourned. It is 2:10.

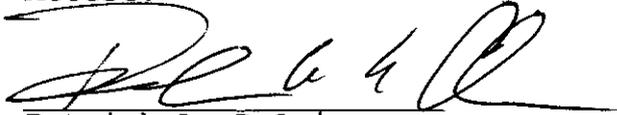
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21 (Meeting adjourned at 2:10 p.m.)

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Attest:



Patrick A. DeOrion  
Director of Administration

C E R T I F I C A T E

STATE OF OHIO )  
 )SS  
 STARK COUNTY )

I, Laurie Maryl Jonas, a Registered Merit Reporter and Notary Public in and for the State of Ohio, duly commissioned and qualified, do hereby certify that this meeting was by me reduced to Stenotype and afterwards prepared and produced by means of Computer-Aided Transcription, and that the foregoing is a true and correct transcription.

I further certify that this hearing was taken at the time and place in the foregoing caption specified.

I further certify that I am not a relative, employee of or attorney for any party or counsel, or otherwise financially interested in the event of this action.

I do further certify that I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Canton, Ohio, on this 2nd day of March, 2020.

*Laurie Maryl Jonas*  
 Laurie Maryl Jonas, RMR & Notary Public.  
 My commission expires January 6, 2022.

<p><b>MAYOR WILDER: [4]</b> 3/6 5/3 6/19 10/4 <b>MR. DEORIO: [25]</b> <b>MR. FOX: [8]</b> 3/10 3/19 5/7 6/23 9/5 9/11 9/16 10/15 <b>MR. GRAHAM: [8]</b> 4/2 5/15 7/5 8/5 8/22 9/1 9/10 9/12 <b>MS. ALABACK: [4]</b> 3/8 3/18 10/6 10/13</p>	<p><b>A</b> able [1] 4/15 accept [2] 5/3 6/19 acknowledge [1] 9/16 action [1] 12/13 actually [3] 4/18 7/21 9/12 additions [1] 3/15 adjourn [1] 10/12 adjourned [2] 10/19 10/21 adjustment [1] 10/3 Administration [2] 2/2 11/3 admitted [1] 6/6 affiliated [1] 12/14 affixed [1] 12/16 after [3] 8/12 8/15 8/17 afterwards [1] 12/7 again [2] 7/8 7/19 agenda [4] 3/13 5/12 7/3 10/12 ago [1] 8/14 ahead [1] 4/24 Aided [1] 12/8 Akron [1] 1/24 Alaback [2] 2/4 3/7 all [10] 3/20 5/8 6/1 6/24 7/2 8/2 8/25 10/7 10/10 10/16 allocated [2] 4/5 5/18 allocation [2] 4/14 7/8 also [5] 3/11 4/12 4/16 6/9 8/19 alternate [5] 4/12 7/10 7/16 7/19 10/2 am [3] 12/11 12/14 12/14 amount [6] 5/23 6/15 6/21 7/15 7/25 10/1 annual [1] 7/6 another [1] 9/18 any [4] 3/15 5/2 9/4 12/12 <b>APPEARANCES [1]</b> 2/1 approve [2] 3/17 3/18 are [3] 3/15 10/11 10/19 as [12] 3/17 4/15 4/19 5/4 6/10 6/11 6/21 7/10 8/3 9/5 9/8 12/15 Attest [1] 11/1 attorney [1] 12/12 Avenue [6] 3/24 4/25 5/13 5/17 6/14 9/7 award [6] 4/15 4/24 6/13 7/23 8/12 10/1 awarded [1] 8/15 aye [10] 3/21 3/22 5/9 5/10 6/25 7/1 10/8 10/9 10/17 10/18 Aye's [2] 5/11 10/10</p>	<p><b>B</b> back [4] 4/4 5/16 6/7 8/19 base [3] 7/13 7/15 7/19 basically [2] 8/6 8/9 be [2] 4/15 9/25 been [1] 5/5 before [1] 9/13 Being [1] 10/11 believe [1] 5/21 best [3] 4/8 5/21 8/8 better [1] 8/10 bid [22] bidder [2] 4/20 9/18 bidders [5] 5/22 7/8 8/4 8/7 9/6 bids [6] 4/4 4/7 5/25 7/6 8/16 8/24 bit [1] 9/19 board [8] 1/2 1/14 3/2 4/23 6/13 7/22 8/2 8/12 bond [1] 8/19 both [1] 4/6 bring [1] 7/13 brought [1] 4/6 budget [3] 4/6 5/19 7/9</p> <p><b>C</b> call [2] 3/2 3/3 can [1] 8/15 CANTON [8] 1/1 1/13 1/16 1/17 1/24 3/2 8/11 12/16 caption [1] 12/10 care [1] 8/1 carries [2] 3/23 7/2 Cementech [3] 4/17 5/25 9/12 certify [4] 12/7 12/10 12/11 12/14 change [1] 8/13 cheaper [1] 9/14 city [6] 1/1 1/16 3/12 4/10 7/3 8/11 Civil [1] 12/15 clearly [2] 6/2 6/3 close [1] 9/8 Code's [1] 8/13 color [1] 7/11 columns [1] 6/2 commission [1] 12/20 commissioned [1] 12/7 competitive [1] 9/11 compliance [1] 8/13 Computer [1] 12/8 Computer-Aided [1] 12/8 concrete [1] 7/11 contract [3] 4/15 4/24 12/15 contractor [2] 4/9 4/11 control [6] 1/2 1/14 3/3</p>	<p>4/23 6/13 7/23 correct [2] 6/4 12/9 counsel [1] 12/12 counter [1] 8/17 COUNTY [1] 12/4 couple [1] 8/14 court [2] 1/24 12/14 coverage [1] 6/11</p> <p><b>D</b> day [3] 5/16 6/5 12/17 deemed [1] 8/7 defined [1] 12/15 DeOrio [6] 2/2 3/4 4/3 5/15 7/5 11/3 department [1] 9/17 determined [2] 4/8 5/21 did [1] 7/20 didn't [1] 4/19 difference [1] 4/19 diligence [2] 9/16 9/21 director [5] 2/2 2/3 2/4 9/23 11/3 discovered [1] 9/13 discussion [3] 5/2 6/17 9/4 do [7] 4/13 6/17 8/5 8/23 9/18 12/7 12/14 documents [1] 6/3 don't [1] 9/7 done [1] 7/21 doublecheck [1] 6/7 duly [1] 12/6</p> <p><b>E</b> each [1] 8/8 else [1] 9/18 employee [1] 12/12 end [1] 7/21 Engineer [2] 3/12 6/20 engineering [1] 9/17 enlighten [1] 4/1 entertain [2] 3/16 10/12 er [1] 3/7 error [3] 4/18 4/21 6/3 even [1] 6/16 event [1] 12/12 Excavating [2] 4/9 4/25 expires [1] 12/20</p> <p><b>F</b> failed [1] 6/9 favor [5] 3/21 5/9 6/25 10/8 10/16 FEBRUARY [5] 1/7 1/18 4/4 5/17 7/7 February 14 [2] 4/4 5/17 February 21 [1] 7/7 file [1] 9/1</p>	<p>finance [2] 2/4 9/23 financially [1] 12/12 findings [1] 6/11 firm [1] 12/14 first [1] 3/13 five [3] 5/22 7/7 7/18 follow [1] 9/17 foregoing [2] 12/8 12/10 forward [3] 4/6 8/8 8/12 Found [1] 6/2 four [1] 7/7 Fox [2] 2/3 3/9 Friday [1] 7/7 further [4] 9/4 12/10 12/11 12/14</p> <p><b>G</b> general [1] 8/3 get [1] 4/20 glee [1] 9/23 go [2] 4/23 9/19 going [1] 6/7 good [2] 4/10 4/13 grade [1] 7/13 Graham [7] 3/12 3/25 5/4 5/14 6/20 7/4 8/1 gray [2] 7/11 7/11 great [1] 7/20 guess [1] 4/22 guys [1] 4/11</p> <p><b>H</b> had [11] 4/5 4/12 4/18 5/18 6/2 6/6 6/6 7/7 7/9 7/20 9/14 Hall [1] 1/16 hand [1] 12/16 happens [1] 9/20 have [7] 5/11 6/17 9/2 9/6 9/25 10/10 12/16 haven't [1] 6/7 heard [1] 6/8 hearing [1] 12/10 here [4] 3/4 3/6 3/8 3/10 hereby [1] 12/7 hereunto [1] 12/16 high [1] 5/20 how [3] 7/13 8/20 8/23</p> <p><b>I</b> I'd [2] 3/1 3/16 I'll [1] 10/12 I've [2] 4/7 9/8 Inc [7] 4/9 4/25 5/23 5/25 6/15 7/15 7/24 includes [1] 10/2 including [1] 7/18 information [2] 8/19 8/24 interest [1] 8/11</p>
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Mr. Manhole [1] 7/11  
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PO [1] 4/13  
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