



THE CITY OF  
**TALLMADGE**  
HISTORY MOVING FORWARD

**SPECIFICATIONS & PROPOSAL:  
PURCHASE AND SALE OF VACANT  
PARCEL #60-02371, LOCATED ON  
SHANAFELT AVENUE**

**Bids due by: *Wednesday, October 5, 2022*  
*at 10 a.m.***

**Submitted By:**

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**Company Name**

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**Street Address**

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**City**

**State**

**Zip**

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**Contact Person**

**Phone No.**

**Email Address**

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**David G. Kline, Mayor**  
**Michael Rorar, Director of Public Service**

46 North Avenue, Tallmadge, Ohio 44278

Phone 330-633-0854 ■ Fax 330-633-1359

**City of Tallmadge Department of Public Service  
Invitation to Bid**

Sealed proposals will be accepted in the Public Service Department, City of Tallmadge, 46 North Avenue, Tallmadge, Ohio, 44278 until 10:00 a.m. on Wednesday, October 5, 2022. City Hall is open for public access Monday thru Friday from 9:00 a.m. to 3:00 p.m. Bids being opened immediately thereafter in the Council Chambers of the Municipal Building for:

**Purchase and Sale of Vacant Parcel #60-02371  
Located on Shanafelt Avenue**

Detailed information, proposal forms and complete specifications may be obtained from the City of Tallmadge website at <https://www.tallmadge-ohio.org>.

Bidders must use the forms available on the website as no other will be accepted. Proposals must include a price for each item in the Bid Proposal form. Incomplete proposals will be considered informal and will not be considered. Each bid must contain the full name of every person or company participating in the bid.

Each bid must be accompanied by a Bid Guaranty, in accordance with Section 153.54 of the Ohio Revised Code. Each bidder shall submit either a Bid Guaranty bond in the amount of 100%, OR a certified check in the amount of 10% of the proposal, made payable to the CITY OF TALLMADGE. Should any bid not be awarded or be rejected, such check or bond will be returned to the bidder or bidders after the execution of the contract.

The award of this contract shall be to the highest and best bidder. The City of Tallmadge reserves the right to reject any or all bids and to accept the bid(s) deemed most beneficial to the City of Tallmadge.

The bidder is responsible for monitoring the above-named website for any official addenda.

Please contact Tina Fiocca in the Public Service Department at [tfiocca@tallmadge-ohio.org](mailto:tfiocca@tallmadge-ohio.org) if you have any questions regarding this bid.

Michael Rorar  
Director of Public Service  
Ordinance 2022- 23

**Published in the Akron Beacon Journal:**  
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## Table of Contents and Bidder's Checklist

A complete bid packet will consist of the items listed below.

Complete this checklist to confirm the items required in your bid. Place a checkmark or "X" next to each item that you are submitting to the City of Tallmadge. Failure to submit the listed documents may be cause for rejection of your bid. This checklist should be returned with your proposal.

- \_\_\_\_\_ Cover sheet (Page 1)
- \_\_\_\_\_ Invitation to Bid (Page 2)
- \_\_\_\_\_ Table of Contents & Bidders Checklist (Page 3)
- \_\_\_\_\_ Section I: Instruction to Bidders (Pages 4 – 5)
- \_\_\_\_\_ Section II: Bid Specifications (Page 6 – 7)
- \_\_\_\_\_ Section III: Proposal & Signature Page (Page 8)
- \_\_\_\_\_ Section IV: Tallmadge Codified Ordinance (Page 9)
- \_\_\_\_\_ Section V: Bid Guarantee (Page 10)
- \_\_\_\_\_ Section VI: Bidder Information & Signature Page (Page 11)

## SECTION I: INSTRUCTIONS TO BIDDERS

All pages of the Bid Proposal, Specifications and Contract Documents must be intact and included in the bid submittal. Bidders must use the forms provided on the City of Tallmadge website as none other will be accepted.

*The City of Tallmadge does encourage bidders to submit all bid forms with their bids.*

Submit all bids to the City of Tallmadge Public Service Department, 46 North Avenue, Public Service Department, Tallmadge, Ohio 44278 according to the instructions in the Invitation to Bid posted on the City of Tallmadge's website at <https://www.tallmadge-ohio.org/bids>

Bids should be in a sealed envelope marked with project title and the name and address of bidder and reach the Public Service Department, no later than 10:00 a.m. on Wednesday, October 5, 2022. The Public Service date/time stamp is the official date/time used for the deadline of the submission of bids. The City will disqualify any bid not received on or before 10:00 a.m. local time on Wednesday, October 5, 2022.

The City reserves the right to waive any informality in any proposal, and to reject any or all bids. The City also reserves the right not to enter into any contract as a result of this invitation for bid.

All addendums will be posted on the City website through Vendor Registry. It is the bidder's responsibility to check this site on a regular basis. The City will not be responsible for any information not viewed by bidders. All bidders should register with [www.vendorregistry.com](http://www.vendorregistry.com) so that the City has all the necessary vendor information.

In reviewing bids to determine who is the highest and best, the City will take into consideration the extent to which the bid conforms to the bid specifications and the qualifications of the bidder to satisfactorily implement the requirements of the Contract. The City specifically reserves the right to reject any bids for which the bidder fails to demonstrate the ability to provide the service required in a responsible manner.

Any bidder may withdraw his bid, by written request, at any time prior to the deadline set for the bid opening. Please be advised, the City of Tallmadge may impose a \$500.00 penalty to any bidder that withdraws his bid after the bid opening and prior to a contract award(s).

Bid will be awarded to the highest and best bidder. The City will be the judge of the factors and will make the award accordingly. Should the successful bidder not be able to provide the required services, the City reserves the right to request service from other sources.

Prospective bidders will take notice that the City of Tallmadge, in determining the highest and best bidder in the award of this contract, may award a local bidder preference to any qualified bidder pursuant to Section 143.06 of the Codified Ordinances of the City of Tallmadge. The determination of whether a bidder qualifies for the local preference shall be made by Board of Control. The Board's decision

shall be final.

After award of the bid, by the City of Tallmadge, the successful bidder will receive an official award notification from the City. The signed contract will represent agreement between the City and the successful bidder (all terms of the bid specifications and any applicable addenda will apply).

The Contractor shall be required to furnish to the City of Tallmadge, evidence showing insurance coverage to be in force throughout the term of the contract. The Contractor shall carry Comprehensive General Liability and Auto Liability Insurance to cover damages for which the contractor may be legally responsible due to bodily injury or property damage. The contractor shall provide to the City of Tallmadge a certificate of insurance showing \$1,000,000.00 Combined Single Limit and \$2,000,000.00 Aggregate Coverage and Workers Compensation Insurance. The City of Tallmadge must be included as an additional insured.

The Contractor covenants to save, defend, hold harmless, and indemnify the City, and all of its officers, departments, agencies, agents, and employees (collectively the "City") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and attorney's fees), charges, liability, or exposure, however caused, resulting from, arising out of, or in any way connected with the Contractor's intentional, negligent, or grossly negligent acts or omissions in performance or nonperformance of its work called for by the Contract Documents.

After satisfactory completion of services, the Contractor shall forward invoice(s) to the following address: The City of Tallmadge, Public Service Department, 46 North Ave., Tallmadge, Ohio 44278.

## **SECTION II: BID SPECIFICATIONS**

### **A. SCOPE AND CLASSIFICATION**

1. **Scope:** The City of Tallmadge is seeking bids for the PURCHASE AND SALE OF VACANT PARCEL #60-02371, LOCATED ON SHANAFELT AVENUE IN TALLMADGE, OH.
2. **Classification:** PARCEL #60-02371 will be awarded to the person or company who bids the highest price.

### **B. OTHER REQUIREMENTS**

1. Bidders are required to fill out the proposal page. Pricing found elsewhere in the bid will not be considered. All bidders are requested to bid fixed, firm pricing in the spaces provided on the proposal page.
2. After the bids are opened, they will be reviewed and evaluated prior to making an award by the Board of Control.

### **C. AWARD PROCESS**

1. The bidder with the highest bid will be awarded PARCEL #60-02371.
2. The Board of Control reserves the right to reject any or all bids and to accept the bid(s) deemed most beneficial to the City of Tallmadge. Agreement may be canceled by either party upon 10-day written notice.

### **D. INVOICING AND PAYMENT**

1. After the bid is awarded, the City will invoice the successful bidder for the property as indicated within the bid. No checks are to be submitted to the City until the Service Department has issued an invoice for the total amount due to the City.
2. The terms of sale shall be certified check or cashier's check made payable to the City of Tallmadge prior to the sale of the property.

### **E. QUESTIONS AND ADDENDA**

1. All questions should be submitted in writing at least five (5) business days prior to the bid opening. Answers to questions will be issued in writing as official addenda no later than seventy-two (72) business hours prior to the time of the bid opening. Said addenda will become a component of the invitation to bid and should be acknowledged as

received on the proposal page. Failure to acknowledge all official addenda in this manner may result in your bid being disqualified.

2. All questions should be directed to:

Tina Fiocca  
City of Tallmadge Service Department  
Email: [tfiocca@tallmadge-ohio.org](mailto:tfiocca@tallmadge-ohio.org)

3. Bidders are expected to and responsible for monitoring the Vendor Registry for all official addenda.
4. Oral instructions or decisions, unless confirmed by addenda, will not be considered valid, legal or binding.
5. Please be advised that when you submit a bid to the City of Tallmadge, the City will assume that an authorized representative of your company reviewed said bid to assure that the bid is correct and/or accurate.
6. Any bidder may withdraw a bid, by written request, at any time prior to the time set for the bid opening. This request must be made to Michael Rorar, Director of Public Service at [mrorar@tallmadge-ohio.org](mailto:mrorar@tallmadge-ohio.org). If there is no withdrawal of the bid, in accordance with this procedure, the City reserves the right to enforce said bid prices(s) and/or contract(s).
7. If a bidder attempts to alter any of the terms and/or conditions of these bid specifications the City of Tallmadge may reject said bid.
8. The party submitting a bid is solely responsible for the delivery of the bid to the specified location prior to the deadline for the receipt of bids. The Public Service date/time stamp is the official date/time used for the deadline of the submission of bids. City Hall is open to the public from 9:00 a.m. to 3:00 p.m. Monday through Friday.

### SECTION III: PROPOSAL AND SIGNATURE PAGE

We (I), the below signed hereby propose to furnish the following article(s) and/or service(s) at the price(s) and terms stated subject to all instructions, conditions, specifications, and all attachments hereto. We (I) have read all attachments including the specifications and fully understand what is required.

**BID PRICE FOR Parcel #60-02371**

**Located on Shanafelt Avenue in**

**Tallmadge, OH 44278**

**(Min. Bid \$5,000.00) \$ \_\_\_\_\_**

The expenses of closing shall be paid in the following manner:

- City of Tallmadge shall pay for securing the title insurance.
- Buyer shall pay for any costs of transfer and recording of title.
- City of Tallmadge shall pay for recording any mortgage releases.
- City of Tallmadge shall pay for the cost of a preliminary title report and the title commitment for title insurance.
- City of Tallmadge and the Buyer shall each pay for one half (½) of the escrow agent's fee.
- City of Tallmadge and the Buyer shall bear any expense it incurs in preparing, executing, and acknowledging any deeds or other instruments required to convey title to Buyer in the manner described in this Agreement together with any attorney's fees, appraisal fees or other expenses that each party has incurred which are not otherwise addressed herein.

I hereby acknowledge the following official addenda (leave blank if no addenda were issued)

Addenda Number(s) \_\_\_\_\_

SIGNATURE OF BIDDER: \_\_\_\_\_



# Section IV: Tallmadge Codified Ordinance

Ordinance 2022-23

Presented by:  
Mayor David G. Kline  
Director of Public Service Michael Rorar

AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR BIDS AND THE MAYOR TO ENTER INTO A CONTRACT WITH THE HIGHEST BIDDER FOR THE PURCHASE AND SALE OF VACANT PARCEL 60-02371, LOCATED ON SHANAFELT AVENUE, NOT NEEDED FOR MUNICIPAL PURPOSES AND PROVIDING FOR IMMEDIATE ENACTMENT

WHEREAS, Ordinance 19-1995 accepted the conveyance of vacant Parcel 60-02371, located on Shanafelt Avenue from Elva Hay, Executrix of the Estate of Avah Britton on August 11, 1995; and

WHEREAS, vacant Parcel 60-02371, located on Shanafelt Avenue is no longer needed for municipal purposes; and

WHEREAS, Ohio Revised Code Section 721.03 authorizes the sale of real property no longer needed for municipal purposes to the highest bidder after advertisement once a week for five consecutive weeks in a newspaper of general circulation.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF TALLMADGE, COUNTIES OF SUMMIT AND PORTAGE, STATE OF OHIO:

SECTION 1. That the Director of Public Service is hereby authorized to advertise for bids and the Mayor to enter into a contract with the highest bidder, after advertisement once a week for five consecutive weeks in a newspaper of general circulation within the City. The City may reject any bids and readvertise until the real property is sold.

SECTION 2. That the contract for the sale of vacant Parcel 60-02371, located on Shanafelt Avenue is subject to approval of the Board of Control.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees on or after November 28, 1975 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. That this ordinance is necessary to provide for and to accomplish the purposes herein set forth, which are conducive to the health, safety, and welfare of the citizens of Tallmadge. For that reason, provided this ordinance shall receive the affirmative vote of three-fourths of the members of Council and approval by the Mayor, it shall be enacted immediately and shall be of immediate effect.

Passed: 1-13-22

Susan E. Burton

Susan E. Burton, Clerk of Council

MER/jt

12/15/21

Filed with the Mayor 1-14-22

Dennis K. Loughry

Dennis K. Loughry, President of Council

Approved:

David G. Kline

David G. Kline, Mayor

This 14<sup>th</sup> day of Jan., 2022

Committee Assignment: Finance

Readings: 1st 1-13-22 2d \_\_\_\_\_ 3d \_\_\_\_\_

For: 7 Against: 0 Abstain: 0

Note: \_\_\_\_\_

## **SECTION V: BID GUARANTY**

A **certified check** or **cashier's check** made payable to the City of Tallmadge must accompany the bid. Draw this check from a solvent bank satisfactory to the Director of Public Service as a guaranty the contract and its performance are properly secured if the bid is accepted. The Bidder shall verify the **certified check** or **cashier's check** for **five hundred (\$500.00) dollars**. The City of Tallmadge will **only accept original checks**. Therefore, if any company and/or bidder submits a copy (including faxed copies) of his/her \$500.00 security, the City will disqualify the bid.

Should any bid be accepted, the check will be deducted from the total amount owed to the City once the payment for the invoice has been issued by the City. Should any bid not be awarded or be rejected, such check will be returned to the bidder or bidders after the execution of the contract.

**Please place your bid guaranty at the front of your submitted bid.**

## SECTION VI: BIDDER INFORMATION AND SIGNATURE

1. The Bidder shall provide the following information as part of its bid.

a. Name of Bidder \_\_\_\_\_  
Address \_\_\_\_\_  
\_\_\_\_\_ City State Zip

c. Telephone Number ( \_\_\_\_ ) \_\_\_\_\_  
Signature \_\_\_\_\_

2. For Businesses: Bidder shall provide the following information as part of its bid.

a. Name of Bidder \_\_\_\_\_  
b. Business Name \_\_\_\_\_  
c. Business Address \_\_\_\_\_  
\_\_\_\_\_ City State Zip

d. Business Telephone Number ( \_\_\_\_\_ ) \_\_\_\_\_  
Signature \_\_\_\_\_