

CITY OF JOHNSTOWN

RESOLUTION NO. 10537

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF JOHNSTOWN, CAMBRIA COUNTY, PENNSYLVANIA, AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN A CONTRACT WITH LOCHER DEMOLITION & EXCAVATING LLC SERVICE IN THE AMOUNT OF \$99,825.00 FOR CONTRACT #2022-06, CDBG STRUCUTRE DEMOLITION PROGRAM TO DEMOLISH TEN (10) STRUCTURES THROUGHOUT THE CITY OF JOHNSTOWN**

**WHEREAS**, the City Council of the City of Johnstown has previously submitted applications to the Department of Housing and Urban Development (HUD) for funding the Federal Fiscal Year 2021-2022 Community Development Block Grant (CDBG) Programs; and

**WHEREAS**, HUD has approved these activities in the approval of the aforementioned applications which were included in the Action Plans of the Consolidated Plan for the Federal Fiscal Years 2022-2023; and

**WHEREAS**, the Department of Community and Economic Development (DCED) of the City of Johnstown has carried out all project planning and clearance activities including the Environmental Review Record, engineering of the project, advertising and public bidding; and

**WHEREAS**, DCED carried out all procurement activities which resulted in the receipt of three bids from which were opened publicly on October 28, 2022 at 12:01 PM; and

**WHEREAS**, the bids were reviewed by DCED staff, with Locher Demolition & Excavating LLC, being identified as the low bonafide bidder with a bid amount of \$99,825.00.

**NOW THEREFORE, BE IT RESOLVED** by the City Council of the City of Johnstown, that the City Manager is authorized and directed to sign Contract # 2022-06 with Locher Demolition & Excavating LLC Service for the completion of demolishing ten structures throughout the City of Johnstown in the amount of \$99,825.00 per bid on October 28, 2022.

ADOPTED: November 9, 2022

By the following vote:

Yeas: Mr. Arnone, Mr. Britt, Mr. Capriotti, Mayor Janakovic, Rev. King, Mrs. Mock, Ms. Huchel

Nays:



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Frank J. Janakovic, Mayor  
Michael Capriotti, Deputy Mayor

ATTEST:

I do hereby certify the forgoing is true and correct copy of Resolution No. **10537** as the same adopted by City Council of the City of Johnstown, Pennsylvania.



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Ethan Imhoff, City Manager

**CONTRACT FOR  
DEMOLITION AND SITE CLEARANCE**

**THIS AGREEMENT**, is made this \_\_\_\_\_ day of November, 2022, by and between the City of Johnstown, Cambria County, a Municipal Corporation, having its principal place of business at City Hall, 401 Main Street, Johnstown, Pennsylvania, 15901 and hereinafter referred to as the "City",

**A  
N  
D**

**LOCHER DEMOLITION & EXCAVATING LLC**

( ) A Corporation duly incorporated and conducting business under the laws of the Commonwealth of Pennsylvania and having its principal place of business at \_\_\_\_\_; or

( x ) A Partnership consisting of JAMEY GOLDBERG AND RONALD LOCHER, and having its principal (Partners) business operation located at 565 DUWELL STREET JOHNSTOWN PA 15906; or

( ) An Individual/Sole Proprietorship doing business within the Commonwealth of Pennsylvania under the trade name of \_\_\_\_\_, and having his principal place of business at \_\_\_\_\_;

Hereinafter referred to as the "Contractor".

**WITNESSETH:**

**WHEREAS**, the City, pursuant to an Order of the City of Johnstown Code Enforcement Inspectors has declared certain structures within the City of Johnstown to be public nuisances and, accordingly, has directed the abatement of same: and

**WHEREAS**, the City, under the directive of the City of Johnstown Department of Community and Economic Development, and to protect the general health, safety and welfare, desires to take the steps necessary to secure and removal and demolition of those structures and to clear the site upon which they are situated; and

**WHEREAS**, the City has solicited and invited bids for such demolition and site clearance, subject to the terms, conditions and provisions of various contract documents for demolition and site clearance, such documents including, but not limited to:

- a) Instructions to Bidders;
- b) General Specifications and Special Conditions for Demolition and Site Clearance;
- c) Demolition and Site Clearance Plans;
- d) A Schedule of Properties to be Demolished and Cleared:
- e) General Conditions for Demolition and Site Clearance;
- f) Technical Specifications for Demolition and Site Clearance;
- g) A Notice labeled "Attention Bidders";
- h) Requirements of the Successful Bidding Contractor;
- i) A Bid Form for Demolition and Site Clearance;
- j) A Non-Collusion Affidavit for the Prime Bidder;
- k) A Bid Bond or Other Guarantee of Bid;
- l) A Statement of Bidder's Qualifications;

- m) Federal Labor Standards Provisions;
- n) A Statement of Davis-Bacon Prevailing Wage Rates: and
- o) An Asbestos Removal/Abatement Contract or Check List and Asbestos Regulations.

Copies of each of the above referenced documents being attached hereto, made a part of hereof, marked Exhibit "A" and collectively referred to herein as the 'Contract Documents';

**WHEREAS**, under and subject to the conditions, provisions and terms of the aforesaid Contract Documents, the Contractor has submitted a bid for demolition of structures and site clearance for those properties set forth hereinafter, such bid being accepted by the City of Johnstown.

**WHEREAS**, the City and Contractor desire to enter into this Agreement for Demolition and Site Clearance in order to formally adopt, incorporate and affirm those understandings set forth in the aforesaid Contract Documents and to further define the responsibilities of the parties hereto.

**NOW, THEREFORE, WITH THE FOREGOING RECITALS BEING INCORPORATED  
HEREIN, AND WITH THE INTENTION TO BE LEGALLY BOUND HEREBY, THE  
PARTIES HERETO DO HEREBY AGREE AS FOLLOWS:**

**I. THE WORK:**

- A. The work shall consist of complete structural demolition and site clearance on those properties set forth hereafter, such demolition and site clearance to be in accordance with the Contract Documents and the terms and conditions set forth hereafter.
- B. The sites upon which such work shall occur are located in the City of Johnstown, Cambria County, Pennsylvania, and as shown on the attached EXHIBIT "B" – List of Properties to be Demolished
- C. The Contractor shall furnish all supervision, technical personnel, labor, materials, machinery, tools, equipment and services, including utility and transportation and security services, and perform and complete all work required for such demolition and site clearance in an efficient and workmanlike manner and in strict compliance with the Contract Documents incorporated herein.

**II. THE CONTRACT PRICE AND PAYMENT:**

- A. In consideration for the demolition and site clearance set forth above, the City hereby agrees to pay the Contractor, upon completion of performance of the contract, subject to the conditions and deductions contained in the Contract Documents, the total sum of \$ 99,825.00 .
- B. In addition to the aforesaid sum, the Contractor shall receive all salvaged

materials from the demolition and site clearance referenced above, same to become the property of the Contractor as additional compensation hereunder.

- C. Upon completion of the work, the Contractor shall submit a Notice to the City certifying the completion of the Contractor's obligations under the Contract Documents and this Agreement. The City, upon receipt of such certification shall inspect the site and, if the City is satisfied that the Contractor has complied with the Demolition and Site Clearance in conformance with the Contract Documents and this Agreement, shall cause payment to be made to the Contractor as soon thereafter as is practicably possible.

III. **NOTICE TO PROCEED/CONTRACT COMPLETION TIME:**

- A. Pursuant to the Special Conditions for Demolition and Site Clearance/Schedule of Buildings, Section 04 of the Contract Documents, the Contractor is hereby given "Notice to Proceed" on the demolition and **site clearance on the property set forth above such Notice being August 15, 2022.**

- B. The work on the above site shall be fully completed within one hundred twenty (120) consecutive calendar days from the effective date of the aforesaid Notice to Proceed.

IV. **ADDITIONAL DOCUMENTS/PERMITS REQUIRED:**

- A. In addition to those documents set forth above, and as may otherwise be required by the Contract Documents, the Contractor shall produce to the

City, no later than ten (10) days prior to performing work on the above referenced site, the following documents:

1. The performance/payment bonds referenced in the Contract Documents;
2. Certification that the waste disposal facility dump site, which the Contractor will use for the disposal of waste from the site is approved by the Pennsylvania Department of Environmental Resources for such purposes;
3. An appropriate Demolition Permit;
4. Certification of Worker's Compensation Insurance Coverage as set forth in the Contract Documents for all employees of the Contractor and any subcontractor retained by or working in conjunction with the Contractor to perform demolition and site clearance work on the site; and
5. Certification of liability insurance as set forth in the Contract Documents providing personal injury and property loss coverage in those limits set forth therein.

V. **GENERAL PROVISIONS**

- A. This Agreement shall be construed in accordance with the laws of the Commonwealth of Pennsylvania and any disputes arising there under shall be resolved through the Court of Common Pleas of Cambria County, Pennsylvania.
- B. The terms of this Agreement are severable. In the event a Court of



competent jurisdiction determines that any term, provision or clause contained herein is void or invalid, then the remaining provisions, terms and clauses of this Agreement shall continue in full force and effect.

- C. By entry into this Agreement, the parties hereto do hereby affirm, incorporate in and agree to all terms, conditions and provisions contained in the Contract Documents and this Agreement for Demolition and Site Clearance as if same were set forth at length herein and separately executed by the parties hereto.

**IN WITNESS WHEREOF**, the parties hereto have set forth their hands and seals the date and year first above written.

**WITNESS:**

**CONTRACTOR:**

\_\_\_\_\_  
Secretary

By: \_\_\_\_\_  
Contractor

Title: \_\_\_\_\_

**ATTEST:**

**THE CITY OF JOHNSTOWN:**

\_\_\_\_\_

By: \_\_\_\_\_  
City Manager

## SCHEDULE OF PROPERTIES TO BE DEMOLISHED/CLEARED

Property Address	Description of Property	Tax Map Parcel #
626 Robb Ave	2 story wood sided single family dwelling with stone foundation	76-003.213.000
1031 Bedford Ave	2 story wood sided single family dwelling with stone foundation	87-054.-409.000
256-258 Grove Ave	2 story wood sided duplex with stone foundation	87-010.-304.000
719 Barclay Ave	2 story wood sided single family dwelling with stone foundation	76-008.-230.000
565-567 Russell	2 story wood sided duplex with stone foundation with garage	87-022.-101.00
510 McMillen St	2 story brick single family dwelling with stone foundation and garage	77-006.-407.000
420 Ash St	2 story wood sided single family dwelling with stone foundation	77-015.-209.000
447 Woodvale Ave	2 story brick single family dwelling with stone foundation and garage	81-006.-211.000
196 Butler Ave	2 story brick single family dwelling with stone foundation and garage	90-005.-120.000
Rear 186 Sell St	2 story stone single family dwelling with stone foundation	78-035.-320.000

