

1 RESOLUTION NO. 2012-426

First Reading Passage Requested

(B. Clark)

2
3 SPONSOR Mr. Pry

4
5 DATE November 5, 2012

COMMITTEE Planning

6
7 **A Resolution declaring the improper completion of construction at the Blazey Center of**
8 **Summit County Children Services to be an emergency pursuant to Section 177.07(a)(3) of**
9 **the Codified Ordinances of the County of Summit, and ratifying the County Executive's**
10 **agreement with Ver-Dick Builders, Inc. to repair improper work and complete unfinished**
11 **work at the Center without complying with the competitive bidding procedures of Chapter**
12 **177 of the Codified Ordinances of the County of Summit, in Council District 4, for the**
13 **Executive's Department of Administrative Services and Summit County Children Services,**
14 **and declaring an emergency.**

15
16 WHEREAS, on February 13, 2012 Council passed legislation awarding a contract for the
17 renovation of the Blazey Center of Summit County Children Services, to Kraiger Construction;
18 and

19
20 WHEREAS, on August 24, 2012 as a result of improperly completed work an employee
21 was injured at the project site and as such, an emergency existed that threatened the safety and
22 health of employees and the public; and

23
24 WHEREAS on August 29, 2012 Kraiger was barred from the job site and a claim was
25 made against the performance bond for that project; and

26
27 WHEREAS, it was necessary to engage a substitute contractor to repair improperly done
28 work and complete unfinished work, that contractor being Ver-Dick Builders, Inc., who provided
29 a not to exceed quote of \$38,249.00 upon evaluation of the necessary work; and

30
31 WHEREAS, Section 177.07(a)(3) of the Codified Ordinances of the County of Summit
32 permits the County Executive to enter into agreements without following the competitive bidding
33 process where there is a danger to the health and safety of employees or the public; and

34
35 WHEREAS, on October 31, the Board of Control approved the agreement with Ver-
36 Dick.

37
38 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
39 of Ohio, that:

40
41 SECTION 1

42
43 County Council hereby finds and determines that the aforementioned conditions at the
44 Blazey Center constitute an emergency pursuant to Section 177.07(a)(3) of the Codified
45 Ordinances of the County of Summit.
46
47
48
49
50
51

1 RESOLUTION NO. 2012-426

2 PAGE TWO

3
4 SECTION 2

5
6 As a result of the emergency circumstances, this Council hereby ratifies the County
7 Executive's agreement with Ver-Dick Builders, Inc. for the repair and completion of the Blazey
8 Center in an amount not to exceed \$38,429.00, without complying with the competitive bidding
9 procedures outlined in Chapter 177 of the Codified Ordinances of the County of Summit but
10 with approval by the Board of Control.

11
12 SECTION 3

13
14 This Resolution is hereby declared an emergency in the interest of the health, safety and
15 welfare of the citizens of the County of Summit, and for the further purpose of ensuring the
16 prompt and safe completion of the Blazey Center at Summit County Children Services.

17
18 SECTION 4

19
20 Provided this Resolution receives the affirmative vote of eight members, it shall take
21 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
22 effect and be in force at the earliest time provided by law.

23
24 SECTION 5

25
26 It is found and determined that all formal actions of this Council concerning and relating
27 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
28 deliberations of this Council and of any of its committees that resulted in such formal action,
29 were in meetings open to the public, in compliance with all legal requirements, including Section
30 121.22 of the Ohio Revised Code.

31
32 INTRODUCED November 5, 2012

33
34 ADOPTED November 5, 2012

35
36
37 CLERK OF COUNCIL

38
39
40
41
42
43
44 PRESIDENT OF COUNCIL

40
41 APPROVED November 6, 2012

42 EXECUTIVE

43
44 ENACTED EFFECTIVE November 6, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras, Kurt Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro