

1 RESOLUTION NO. 2014-039

First Reading Passage Requested

(G. Kissos)

2 SPONSOR Mr. Pry

3 DATE January 27, 2014

COMMITTEE Public Works

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7 **A Resolution amending Resolution No. 2013-067 authorizing the County Executive to**
8 **execute a Local Public Agency agreement amendment with the State of Ohio Department**
9 **of Transportation for improvement of the East North Street Bridge over the Little**
10 **Cuyahoga River, located in the City of Akron in Council District 4, at a revised net cost to**
11 **the County not to exceed \$713,503.00, for the Engineer, and declaring an emergency.**

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13 WHEREAS, the Engineer finds a public need for the replacement of the East North Street
14 Bridge over the Little Cuyahoga River, Bridge No. AKR-010-0208, located in City of Akron in
15 Council District 4 ("Project"); and

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17 WHEREAS, the Project's revised estimated cost for construction, construction
18 engineering and inspection ("Project's Construction Cost") is \$2,168,325.00; and

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20 WHEREAS, the Project's estimated cost for right of way acquisition, design, advertising,
21 bidding and contingencies remains as \$279,838.00, resulting in a revised total project cost of
22 \$2,448,163.00; and

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24 WHEREAS, the Federal Highway Administration has revised the committed
25 \$1,319,720.00 to \$1,734,660.00 towards the Project's construction and right of way acquisition
26 costs; and

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28 WHEREAS, the County of Summit plans to provide the remaining Project funds, in a
29 revised amount not to exceed \$713,503.00; and

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31 WHEREAS, State of Ohio Department of Transportation ("ODOT") and the County
32 Engineer desire to enter into a Local Public Agency agreement amendment, to confirm the
33 Project's construction cost and to designate the County of Summit as the lead agency for
34 administration of competitive bidding, construction and construction engineering of the Project;
35 and

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37 WHEREAS, Sections 5501.03(c) and 5543.01 of the Ohio Revised Code, as well as
38 Article II, Section 2.03(5) of the County of Summit Charter, authorizes the County Executive to
39 execute such agreements, subject to the approval of County Council; and

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41 WHEREAS, the local public agency agreement amendment will cite the County of
42 Summit's share of the Project's construction cost as \$433,665.00; and

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44 WHEREAS, no funds will be expended for the Project's construction and right of way
45 acquisition until and unless authorized by separate resolutions; and

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47 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
48 that authorizing the County Executive to execute a local public agency agreement amendment
49 with ODOT for the Project is necessary and in the best interest of the County of Summit;

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51 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
52 of Ohio, that:

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4 SECTION 1

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6 The County Executive is hereby authorized to execute a local public agency agreement
7 amendment with the State of Ohio Department of Transportation (“ODOT”), for the
8 improvement of the East North Street Bridge over the Little Cuyahoga River, Bridge No. AKR-
9 010-0208, located in the City of Akron in Council District 4 (“Project”).

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11 SECTION 2

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13 The terms of the Local Public Agency agreement amendment shall include the following:

- 14
15 a. That the parties estimate the Project’s revised construction cost to be \$2,168,325.00,
16 with said cost including construction engineering and inspection; and
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18 b. That the parties estimate the Project’s revised total cost to be \$2,448,163.00; and
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20 c. That the net estimated revised cost to the County of Summit shall not to exceed
21 \$713,503.00; and
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23 d. That the County of Summit shall provide all other financial resources necessary to
24 fully complete the Project; and
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26 e. That, upon receipt of federal authorization from ODOT, the County of Summit may
27 commence competitive bidding activities for Project construction, with award of
28 contract subject to applicable Codified Ordinances of the County of Summit, said
29 ordinances requiring authorization of such an award by this Council; and
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31 SECTION 3

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33 This Resolution is hereby declared an emergency in the interest of the health, safety and
34 welfare of the citizens of the County of Summit, and for the further reason that it immediately
35 completes a prerequisite for the Project to proceed in a timely manner in 2014.
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37 SECTION 4

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39 Provided this Resolution receives the affirmative vote of eight members, it shall take
40 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
41 effect and be in force at the earliest time provided by law.
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43 SECTION 5

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45 It is found and determined that all formal actions of this Council concerning and relating
46 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
47 deliberations of this Council and of any of its committees that resulted in such formal action,
48 were in meetings open to the public, in compliance with all legal requirements, including Section
49 121.22 of the Ohio Revised Code.
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INTRODUCED January 27, 2014

ADOPTED January 27, 2014

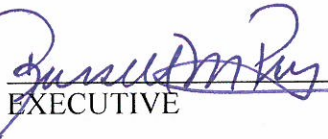


CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED January 28, 2014



EXECUTIVE

ENACTED EFFECTIVE January 28, 2014

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