

1 RESOLUTION NO. 2018-129

2
3 SPONSOR Ms. Shapiro

4
5 DATE April 16, 2018

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute any documents necessary for the**
8 **County to participate in a project for the improvement of the intersection of State Route**
9 **162 and Cleveland-Massillon Road, PID No. 103171, located in Copley Township, in**
10 **Council District 5, for a total estimated cost of \$1,380,720.00, with the County's share of the**
11 **cost of the project being \$100,000.00, and authorizing the Ohio Department of**
12 **Transportation to administer the project, for the Engineer, and declaring an emergency.**

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14 WHEREAS, the Ohio Department of Transportation ("ODOT") and the County Engineer
15 have identified the need for the improvement of the intersection of State Route 162 and
16 Cleveland Massillon Road (County Route 17), including installing an eastbound left turn lane on
17 State Route 162 and a southbound right turn lane on Cleveland Massillon Road; and

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19 WHEREAS, the County owns and maintains Cleveland Massillon Road and ODOT owns
20 and maintains State Route 162; and

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22 WHEREAS, ODOT will act as the lead administrator and administer the Project; and

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24 WHEREAS, the Project's cost is estimated to cost \$1,380,720.00, with the County's
25 share of the cost of the Project being \$100,000.00; and

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27 WHEREAS, ODOT has requested authorizing legislation pursuant to Section 5521.01 of
28 the Ohio Revised Code giving the Director of ODOT the authority to administer the Project; and

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30 WHEREAS, this Council has determined by reviewing all pertinent information that it is
31 necessary and in the best interest of the County of Summit to authorize the Executive to execute
32 any documents necessary for the County to participate in the Project and to authorize ODOT to
33 administer the Project;

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35 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
36 of Ohio, that;

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38 SECTION 1

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40 The County Executive is hereby authorized to execute any documents necessary for the
41 County to participate in the improvement of the intersection of State Route 162 and Cleveland
42 Massillon Road, PID No. 103171, located in Copley Township, Council District 5, for a total
43 estimated cost of \$1,380,720.00, with the County's share of the cost of the project being
44 \$100,000.00. The County further gives its consent to the Director of ODOT to administer the
45 Project.

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4 SECTION 2

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6 The County is to participate in the cost of construction of the southbound turn lane on
7 Cleveland Massillon Road at 20%, matched with Congestion Mitigation Air Quality (“CMAQ”)
8 funds for the remaining 80%. The County of Summit further agrees that the County will pay One
9 Hundred Percent (100%) of the cost of any features which are determined by the State and
10 Federal Highway Administration to be unnecessary for the Project. The County further agrees
11 that the change order and extra work contracts required to fulfill the construction contracts shall
12 be processed as needed. The State shall not approve a change order or extra work contract until it
13 first gives notice, in writing, to the County. The County shall contribute its share of the cost of
14 these items in accordance with other sections herein.

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16 SECTION 3

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18 Upon completion of the Project, and unless otherwise agreed, the County shall provide
19 adequate maintenance for the Project in accordance with all applicable state and federal laws,
20 including but not limited to 23 USC 116, provide ample financial provisions, as necessary for the
21 maintenance of the Project, maintain the right-of-way, keeping it free of obstructions, and hold
22 said right-of-way inviolate for public highway purposes.

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24 SECTION 4

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26 The County agrees that if Federal Funds are used to pay the cost of any consultant
27 contract, the County shall comply with 23 CFR 172 in the selection of its consultant and the
28 administration of the consultant contract. Further the County of Summit agrees to incorporate
29 ODOT’s “Specifications for Consulting Services” as a contract document in all of its consultant
30 contracts. The County agrees to require, as a scope of services clause, that all plans prepared by
31 the consultant must conform to ODOT’s current design standards and that the consultant shall be
32 responsible for ongoing consultant involvement during the construction phase of the Project. The
33 County agrees to include a completion schedule acceptable to ODOT and to assist ODOT in
34 rating the consultant’s performance through ODOT’s Consultant Evaluation System.

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36 SECTION 5

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38 This Resolution is hereby declared an emergency in the interest of the health, safety, and
39 welfare of the citizens of Summit County, and for the further reason that it expedites a highway
40 project that promotes safety and reduces congestion.

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42 SECTION 6

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

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RESOLUTION NO. 2018-129

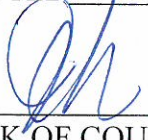
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SECTION 7

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees 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.

INTRODUCED April 2, 2018

ADOPTED April 16, 2018

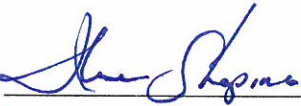


CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED April 17, 2018



EXECUTIVE

April 17, 2018
ENACTED EFFECTIVE

Voice Vote: 11-0 YES: Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Soyars, Walters, Wilhite