

1 RESOLUTION NO. 2016-124

2  
3 SPONSOR Mr. Pry

4  
5 DATE April 25, 2016 COMMITTEE Public Works

6  
7 **A Resolution authorizing the County Executive to execute a Local Public Agency**  
8 **agreement with the State of Ohio Department of Transportation for the resurfacing of**  
9 **Portage Lakes Drive from SR 93 to Cormany Road, located in Coventry Township, at a net**  
10 **cost to the County not to exceed \$52,300.00, for the Engineer, and declaring an emergency.**

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12 WHEREAS, the County Engineer finds a public need for the resurfacing of Portage  
13 Lakes Drive from SR 93 to Cormany Road, located in Coventry Township, Council District 8  
14 (“Project”); and

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16 WHEREAS, the Project’s estimated total cost for construction, construction engineering  
17 and inspection ("Project’s Construction Cost") is \$221,500.00; and

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19 WHEREAS, the Federal Highway Administration has committed \$169,200.00 towards  
20 the Project’s construction costs; and

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22 WHEREAS, the County of Summit plans to provide the remaining of the Project’s  
23 Construction Cost, in an amount not to exceed \$52,300.00, to be paid from Motor Vehicle Gas  
24 Tax Funds; and

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26 WHEREAS, State of Ohio Department of Transportation (“ODOT”) and the County  
27 Engineer desire to enter into a Local Public Agency agreement, to confirm the Project’s  
28 construction cost and to designate the County of Summit as the lead agency for administration of  
29 competitive bidding, construction and construction engineering of the Project; and

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

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35 WHEREAS, the Local Public Agency agreement will cite that up to a maximum of  
36 \$221,500.00 will be provided to the Project from the Federal Highway Administration’s Surface  
37 Transportation Program’s Resurfacing fund as administered by AMATS; and

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39 WHEREAS, no funds will be expended for the Project’s construction until and unless  
40 authorized by separate Resolutions; and

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42 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
43 that authorizing the County Executive to execute a Local Public Agency agreement with ODOT  
44 for the Project is necessary and in the best interest of the County of Summit;

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

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8 SECTION 1

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10 The County Executive is hereby authorized to execute a Local Public Agency agreement  
11 with the State of Ohio Department of Transportation ("ODOT"), for the resurfacing of Portage  
12 Lakes Drive from SR 93 to Cormany Road, located in Coventry Township, in Council District 8  
13 ("Project").

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15 SECTION 2

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

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19 a. That the parties estimate the Project's construction cost to be \$221,500.00; and  
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21 b. That the net estimated cost to the County of Summit shall be an amount not to exceed  
22 \$52,300.00; and  
23  
24 c. That the County of Summit shall provide all other financial resources necessary to  
25 fully complete the Project; and  
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27 d. That, upon receipt of federal authorization from ODOT, the County of Summit may  
28 commence competitive bidding activities for Project construction, with award of  
29 contract subject to applicable Codified Ordinances of the County of Summit, said  
30 ordinances requiring authorization of such an award by this Council; and  
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32 SECTION 3

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34 This Resolution is hereby declared an emergency in the interest of the health, safety and  
35 welfare of the citizens of the County of Summit, and for the further reason that it immediately  
36 completes a prerequisite for the Project to proceed in a timely manner in 2016.

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38 SECTION 4

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

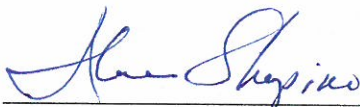
3  
4 SECTION 5

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6 It is found and determined that all formal actions of this Council concerning and relating  
7 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
8 deliberations of this Council and of any of its committees that resulted in such formal action,  
9 were in meetings open to the public, in compliance with all legal requirements, including Section  
10 121.22 of the Ohio Revised Code.

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13 INTRODUCED April 11, 2016

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15 ADOPTED April 25, 2016

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19 CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

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21 APPROVED April 26, 2016

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25 EXECUTIVE

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27 ENACTED EFFECTIVE April 26, 2016

Voice Vote: 10-0 YES: Crawford, Donofrio, Feeman, Kostandaras,  
Prentice, Rodgers, Schmidt, Shapiro, Walters, Wilhite  
ABSENT: Lee