

1 RESOLUTION NO. 2016-258

First Reading Passage Requested
(H. Swindell)

2
3 SPONSOR Mr. Pry

4
5 DATE June 27, 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 Canton Road**
9 **Sidewalk Project, located in Springfield Township, at a net cost to the County not to exceed**
10 **\$84,000.00, for the Engineer, and declaring an emergency.**

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12 WHEREAS, the Engineer finds a public need for the construction of a sidewalk along the
13 west side of Canton Road from Sanitarium Road to approximately 500 feet south of Springfield
14 Lake Drive, located in Springfield Township, in Council District 8 ("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 \$400,000.00; and

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19 WHEREAS, the Federal Highway Administration has committed 80% funding up to a
20 maximum of \$316,000.00 towards 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 \$84,000.00, 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 \$316,000.00 will be provided to the Project from federal Transportation Alternative Program
37 funds; 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, at a cost to the County not to exceed \$84,000.00, is necessary and in the best
45 interest of the County of Summit;

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

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7 SECTION 1

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9 The County Executive is hereby authorized to execute a Local Public Agency agreement
10 with the State of Ohio Department of Transportation ("ODOT"), for the Canton Road Sidewalk
11 Project, located in Springfield Township, in Council District 8 ("Project").

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13 SECTION 2

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

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17 a. That the parties estimate the Project's construction cost to be \$400,000.00; and
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19 b. That the net estimated cost to the County of Summit shall be an amount not to exceed
20 \$84,000.00; and
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22 c. That the County of Summit shall provide all other financial resources necessary to
23 fully complete the Project; and
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25 d. That, upon receipt of federal authorization from ODOT, the County of Summit may
26 commence competitive bidding activities for Project construction, with the award of
27 contract subject to applicable Codified Ordinances of the County of Summit, said
28 ordinances requiring authorization of such an award by this Council; and
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30 SECTION 3

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32 This Resolution is hereby declared an emergency in the interest of the health, safety and
33 welfare of the citizens of the County of Summit, and for the further reason that it immediately
34 completes a prerequisite for the Project to proceed in a timely manner in 2017.

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36 SECTION 4

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38 Provided this Resolution receives the affirmative vote of eight members, it shall take
39 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
40 effect and be in force at the earliest time provided by law.
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1 RESOLUTION NO. 2016-258

2 PAGE THREE

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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 June 27, 2016

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15 ADOPTED June 27, 2016

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19 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

28 APPROVED June 28, 2016

29 EXECUTIVE

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38 ENACTED EFFECTIVE June 28, 2016

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