

1 RESOLUTION NO. 2021-328

2
3 SPONSOR Executive Shapiro

4
5 DATE October 25, 2021 COMMITTEE: Public Works

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7 **A Resolution authorizing the Executive to execute a Local Public Agency Agreement with**
8 **the State of Ohio, a Memorandum of Understanding with Bath Township and any other**
9 **documents necessary for the Cleveland-Massillon Road Sidewalk Project, located in Bath**
10 **Township, in Council District 5, for an estimated total cost of \$650,000.00, with the**
11 **Department of Transportation providing Transportation Alternative Set Aside funds up to**
12 **\$520,000.00 to cover up to 80% of the Project costs, with Bath Township responsible for**
13 **the local funds for the Project, and authorizing the Executive to advertise for bids for the**
14 **Project, for the Executive and the Engineer, and declaring an emergency.**

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16 WHEREAS, the Engineer applied for and received Transportation Alternative Set Aside
17 federal grant funding, programmed through the Akron Metropolitan Area Transportation Study,
18 on behalf of Bath Township for the construction of a sidewalk along the west side Cleveland-
19 Massillon Road (County Route 17) from State Route 18 to Springside Drive, including a
20 pedestrian ramp on the northwest corner of the Springside Drive at Cleveland-Massillon Road
21 intersection (the "Project") located in Bath Township, in Council District 5, Project Identification
22 Number 112788; and

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24 WHEREAS, the County, as sponsor of the grant application, and as an authorized Local
25 Public Agency ("LPA") for the Ohio Department of Transportation's Local Let Process, will act
26 as administrator for the Project; and

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28 WHEREAS, the estimated total cost of the Project is \$650,000.00; and

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30 WHEREAS, Federal Highway Administration funds have been awarded to the County in
31 the form of a grant to cover up to 80% of the Project's costs, in an amount not to exceed
32 \$520,000.00, with Bath Township responsible for local funds for the Project; and

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34 WHEREAS, the State of Ohio, through the Ohio Department of Transportation
35 ("ODOT"), and the Executive wish to enter into an LPA Agreement to confirm the Project's
36 costs and to designate the County as the lead agency for administration of the Project; and

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38 WHEREAS, said LPA Agreement will provide (i) that the estimated cost of the Project is
39 \$650,000.00, (ii) that ODOT shall provide to the County as the LPA up to 80% of eligible
40 Project costs, in an amount not to exceed \$520,000.00 in Federal Highway Administration funds and
41 (iii) that the County, as the LPA, will provide the remaining local funds necessary to pay for the
42 Project's costs; and

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44 WHEREAS, Sections 5501.03(c) and 5543.01 of the Ohio Revised Code, as well as
45 Article II, Section 2.03(5) of the County of Summit Charter authorize execution of such LPA
46 Agreements, subject to the approval of this Council; and

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48 WHEREAS, a Memorandum of Understanding ("MOU") is needed between the County
49 and Bath Township to outline the scope of work and responsibilities of each party for the Project
50 and to require Bath Township to provide local funds for the Project; and
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4 WHEREAS, Section 177.05 of the Codified Ordinances of the County of Summit
5 requires this Council's authorization for the Executive to advertise for bids; and
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7 WHEREAS, the Executive further wishes to advertise for bids in preparation of the
8 Project that will be bid at a later date for an estimated total cost not to exceed \$650,000.00; and
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10 WHEREAS, a copy of the bid specifications will be provided to the Clerk of Council
11 upon their availability; and
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13 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
14 that it is necessary and in the best interest of the County of Summit to authorize the Executive to
15 execute the aforementioned LPA Agreement with ODOT, the MOU with Bath Township and
16 any other documents necessary for the Project and to advertise for bids for the Project;
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18 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
19 of Ohio, that:
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21 SECTION 1

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23 The Executive is hereby authorized to execute a Local Public Agency ("LPA")
24 Agreement with the State of Ohio, through the Department of Transportation ("ODOT"), for
25 various roadway and intersection studies, Project Identification Number 115294 (the "Project"),
26 a copy of which is attached hereto as Exhibit A and incorporated fully herein, with such
27 modifications and revisions as shall be in furtherance of the provisions of said LPA Agreement
28 and not substantially adverse to the County, all of which shall be conclusively evidenced by the
29 execution thereof by the Executive. The Executive is further authorized to execute any other
30 documents necessary for the Project. Upon federal authorization from ODOT, the County may
31 commence the administration of the Project, with the award of the Project subject to applicable
32 Codified Ordinances of the County of Summit, said Ordinances requiring authorization of such
33 an award by the Board of Control and/or Council.
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35 SECTION 2

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37 The Executive is hereby authorized to execute a Memorandum of Understanding
38 ("MOU") with Bath Township which outlines the scope of work and responsibilities for the
39 County and Bath Township for the Project and requires Bath Township to provide local funds for
40 of the Project, a copy of which is attached hereto as Exhibit B and incorporated fully herein, with
41 such modifications and revisions as shall be in furtherance of the provisions of said MOU and
42 not substantially adverse to the County, all of which shall be conclusively evidenced by the
43 execution thereof by the Executive. The Executive is further authorized to execute any other
44 documents necessary for the Project.
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46 SECTION 3

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48 The Executive is hereby authorized to advertise for bids for the Project, for an estimated
49 amount not to exceed \$650,000.00.
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1 RESOLUTION NO. 2021-328

2 PAGE THREE

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4 SECTION 4

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6 This Resolution is hereby declared an emergency in the interest of the health, safety and
7 welfare of the residents of the County of Summit, and for the further reason that it immediately
8 completes prerequisites to accept funds needed for a pedestrian safety project in Summit County.

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10 SECTION 5

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

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16 SECTION 6

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18 It is found and determined that all formal actions of this Council concerning and relating to the
19 adoption of this Resolution were adopted in an open meeting of this Council, and that all
20 deliberations of this Council and of any of its committees that resulted in such formal action,
21 were in meetings open to the public, in compliance with all legal requirements, including Section
22 121.22 of the Ohio Revised Code.

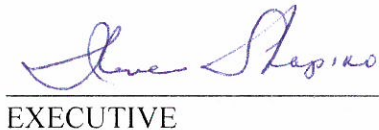
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25 INTRODUCED October 25, 2021

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28 ADOPTED October 25, 2021

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32 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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34 APPROVED October 26, 2021

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38 EXECUTIVE

October 27, 2021
ENACTED EFFECTIVE

Voice Vote - YES: 10-0: Darrow, Dickinson, Donofrio, Feeman,
McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite
ABSENT: DeVitis