

1 RESOLUTION NO. 2010-052

First Reading Passage Requested
(G. Kissos)

2
3 SPONSOR Mr. Pry

4
5 DATE February 8, 2010

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to enter into a Local Public Agency**
8 **agreement with the State of Ohio, through the Department of Transportation, for**
9 **improvement of the Cleveland-Massillon Road Bridge over Hudson Run, located in the**
10 **City of Barberton, Council District 7, at a net cost to the County of Summit not to exceed**
11 **\$550,510.00, for the Engineer, and declaring an emergency.**

12
13 WHEREAS, the Public Interest of the County of Summit requires the improvements of
14 the Cleveland-Massillon Road Bridge over Hudson Run, bridge no. BAR-017-0708, located in
15 the City of Barberton (said improvement being referenced herein as the "Project"); and

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17 WHEREAS, the Project's estimated cost for construction, construction engineering and
18 inspection (herein referenced as the "Project's Construction Cost") is \$715,000.00; and

19
20 WHEREAS, the Project's estimated cost for right of way acquisition, design, advertising,
21 bidding and contingencies is \$250,710.00, resulting in a Total Project Cost of \$965,710.00; and

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23 WHEREAS, the Federal Highway Administration has committed \$415,200.00 towards
24 the Project's Construction Cost; and

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26 WHEREAS, the County of Summit plans to provide the remaining Project funds, in an
27 amount not to exceed \$550,510.00; and

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29 WHEREAS, ODOT and the County Engineer desire to enter into a Local Public Agency
30 ("LPA") agreement, to confirm the Project's Construction Cost and to designate the County of
31 Summit as the lead agency for administration of competitive bidding, construction and
32 construction engineering of the Project; and

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34 WHEREAS, Sections 5501.03 (c) and 5543.01 of the Ohio Revised Code, as well as
35 Article II, Section 2.03 (5) of the County Charter allows execution of such agreements, subject to
36 the approval of this Council; and

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38 WHEREAS, said LPA Agreement will cite the County of Summit's share of the Project's
39 Construction Cost as \$299,800.00; and

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41 WHEREAS, no funds will be expended for the Project's construction until and unless
42 authorized by separate resolution; and

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44 WHEREAS, this Council has determined by reviewing all pertinent information that
45 authorizing the County Executive to enter into the aforementioned LPA agreement with ODOT
46 is necessary and in the best 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 enter into a Local Public Agency
10 agreement with the State of Ohio, through the Department of Transportation, for the
11 improvement of the Cleveland-Massillon Road Bridge over the Hudson Run, bridge no. BAR-
12 017-0708, located in the City of Barberton, Council District 7.

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14 SECTION 2

15 The terms of said agreement shall include the following:

- 16
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18 a. That the parties estimate the Project's Construction Cost to be \$715,000.00, with said
19 cost including construction engineering and inspection;
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21 b. That the net estimated cost to Summit County shall be an amount not to exceed
22 \$299,800.00;
23
24 c. That Summit County shall provide all other financial resources necessary to fully
25 complete the Project; and
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27 d. That, upon receipt of federal authorization from ODOT, the County may commence
28 competitive bidding activities for Project construction, with award of contract subject
29 to applicable County of Summit Ordinances, said ordinances requiring authorization
30 of such an award by this Council.

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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 a bridge improvement needed for safe and convenient travel within
37 the County.

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39 SECTION 4

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

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45 SECTION 5

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47 It is found and determined that all formal actions of this Council concerning and relating
48 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
49 deliberations of this Council and of any of its committees that resulted in such formal action,
50 were in meetings open to the public, in compliance with all legal requirements, including Section
51 121.22 of the Ohio Revised Code.

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INTRODUCED February 8, 2010

ADOPTED February 8, 2010

Shirley F. Green
CLERK OF COUNCIL

[Signature]
PRESIDENT OF COUNCIL

APPROVED February 8, 2010

[Signature]
EXECUTIVE

ENACTED EFFECTIVE February 8, 2010

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras
Poda, Rodgers, Schmidt, Shapiro, Smith Absent: Prentice