

1 RESOLUTION NO. 2011-375

First Reading Passage Requested

(J. Paradise)

2
3 SPONSOR Mr. Pry

4
5 DATE September 19, 2011

COMMITTEE Public Works

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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 (“ODOT”),**
9 **for the improvement of Arlington Road, located in Coventry and Springfield Townships,**
10 **Council District 8, at a net cost to the County of Summit not to exceed \$260,000.00, for the**
11 **Engineer, and declaring an emergency.**

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13 WHEREAS, the public interest of the County of Summit requires the improvement of
14 Arlington Road, including the construction of an inter-connected traffic signal system, updated
15 ramps and sidewalks, northbound left turn lane at Warner Road, and resurfacing from Killian
16 Road to Krumroy Road, Project Identification (“PID”) number 88525, located in Coventry and
17 Springfield Townships, said improvement being referenced herein as the “Project”; and

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19 WHEREAS, the Project’s estimated cost for construction, construction engineering,
20 inspection, right of way acquisition, design, advertising, bidding and contingencies is
21 \$1,300,000.00; and

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23 WHEREAS, the Akron Metropolitan Area Transportation Study (“AMATS”) has
24 committed \$1,040,000.00 in federal Metropolitan Planning Organization (“MPO”) Congestion
25 Mitigation and Air Quality Improvement (“CMAQ”) funds towards the Project’s construction
26 cost; and

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28 WHEREAS, the County of Summit plans to provide the remaining Project funds in an
29 amount not to exceed \$260,000.00; and

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31 WHEREAS, ODOT and the County Engineer desire to enter into a Local Public Agency
32 agreement, to confirm the Project’s construction cost and to designate the County of Summit as
33 the lead agency for administration of competitive bidding, construction and construction
34 engineering of the Project; and

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36 WHEREAS, Sections 5501.03 (c) and 5543.01 of the Ohio Revised Code, as well as
37 Section 2.03 (5) of the County of Summit Charter allow execution of such agreements, subject to
38 the approval of this Council; and

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40 WHEREAS, said Local Public Agency agreement will state ODOT shall provide to the
41 Local Public Agency \$160,000.00 in right of way costs and \$880,000.00 in construction costs
42 from federal MPO CMAQ funds; and

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44 WHEREAS, no funds will be expended for the Project’s construction until and unless
45 authorized by separate Resolution; and

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47 WHEREAS, this Council has determined by reviewing all pertinent information that
48 authorizing the County Executive to enter into the aforementioned Local Public Agency
49 agreement with ODOT is necessary and in the best interest of the County of Summit;

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

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4 SECTION 1

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6 The County Executive is hereby authorized to enter into a Local Public Agency
7 agreement with the State of Ohio, through the Department of Transportation ("ODOT"), for the
8 improvement of Arlington Road, Project Identification No. 88528, located in Coventry and
9 Springfield Townships, Council District 8.

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11 SECTION 2

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13 The terms of said agreement shall include the following:

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15 a. That the parties estimate the Project's cost to be \$1,300,000.00, with said cost
16 including construction engineering and inspection;
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18 b. That the net estimated cost to the County of Summit shall be in an amount not to
19 exceed \$260,000.00;
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21 c. That the County of Summit shall provide all other financial resources necessary to
22 fully complete the Project; and
- 23
24 d. That, upon receipt of federal authorization from ODOT, the County may commence
25 competitive bidding activities for Project construction, with award of contract subject
26 to applicable County of Summit Ordinances, said Ordinances requiring authorization
27 of such an award by this Council.

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29 SECTION 3

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31 This Resolution is hereby declared an emergency in the interest of the health, safety and
32 welfare of the citizens of the County of Summit, and for the further reason that it completes a
33 prerequisite for a road improvement immediately needed for safe and convenient travel within
34 the County.

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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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42 SECTION 5

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

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PAGE THREE

INTRODUCED September 19, 2011

ADOPTED September 19, 2011


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED September 21, 2011


EXECUTIVE

ENACTED EFFECTIVE September 21, 2011

Voice Vote:10-0 YES: Comunale, Crawford, Feenan, Kostandaras
Kurt, Prenice, Rodgers, Roemer, Schmidt, Shapiro ABSENT: Lee