

1 RESOLUTION NO. 2012-132

First Reading Passage Requested
(J. Paradise)

2
3 SPONSOR Mr. Pry and Mr. Kostandaras

4
5 DATE April 2, 2012 COMMITTEE Public Works

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7 **A Resolution authorizing the County Executive to execute a Local Public Agency**
8 **agreement with the State of Ohio, through the Ohio Department of Transportation, for the**
9 **improvement of Akron Peninsula Road, located in Boston Township, Council District 1, in**
10 **an amount not to exceed \$705,000.00, for the Engineer, and declaring an emergency.**

11
12 WHEREAS, the public interest of the County of Summit requires the improvement of
13 Akron Peninsula Road from the Cuyahoga Falls north corporation line to Quick Road, including
14 the resurfacing, shoulder restoration, guard rail installation, raised pavement markings and
15 pavement markings, Project Identification ("PID") number 92457, located in Boston Township,
16 Council District 1 (said improvement being referenced herein as the "Project"); and

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18 WHEREAS, the Project's estimated cost for construction, construction engineering,
19 inspection, right of way acquisition, design, advertising, bidding and contingencies is
20 \$705,000.00; and

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22 WHEREAS, the Public Lands Highway Discretionary Fund has awarded the County
23 Engineer a grant to cover the Project's construction cost with no local cash match requirement;
24 and

25
26 WHEREAS, the Ohio Department of Transportation ("ODOT") and the County Engineer
27 desire to enter into a Local Public Agency ("LPA") 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 and Section
32 2.03 (5) of the County of Summit Charter, allow execution of such agreements, subject to the
33 approval of this Council; and

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35 WHEREAS, said LPA agreement will state that ODOT shall provide to the LPA
36 \$705,000.00 in eligible costs from Federal Public Lands Highway Discretionary funds; and

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

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41 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
42 that authorizing the County Executive to execute the aforementioned LPA agreement with
43 ODOT is necessary and in the best interest of the County of Summit;

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45 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
46 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, for the
8 improvement of Akron Peninsula Road, PID No. 92457, located in Boston Township, Council
9 District 1.

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11 SECTION 2

12 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 \$705,000.00, with said cost including
16 construction engineering and inspection;
 - 17
18 b. That there is no local match requirement;
 - 19
20 c. That Summit County shall provide all other financial resources necessary to fully
21 complete the Project; and
 - 22
23 d. That, upon receipt of federal authorization from ODOT, the County may commence
24 competitive bidding activities for Project construction, with award of contract subject
25 to applicable County of Summit Ordinances, said ordinances requiring authorization
26 of such an award by this Council.
- 27

28 SECTION 3

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

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35 SECTION 4

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

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41 SECTION 5

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

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2 PAGE THREE

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5 INTRODUCED April 20, 2012

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7 ADOPTED April 2, 2012

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11 CLERK OF COUNCIL


PRESIDENT OF COUNCIL

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13 APPROVED April 2, 2012

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15 
16 EXECUTIVE

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19 ENACTED EFFECTIVE April 2, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras
Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro