

1 RESOLUTION NO. 2012-289

First Reading Passage Requested
(J. Paradise)

2 SPONSOR Mr. Pry and Mr. Kostandaras

3 DATE July 30, 2012

4 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 Riverview Road, located in Boston Township, Council District 1, at a cost**
10 **not to exceed \$920,000.00, for the Engineer, and declaring an emergency.**

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12 WHEREAS, the public interest of the County of Summit requires the improvement of
13 Riverview Road from the Cuyahoga Falls north corporation line to Peninsula south corporation
14 line, including the resurfacing of the roadway, Project Identification ("PID") Number 92690,
15 located in Boston Township ("Project"); and

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17 WHEREAS, the Project's estimated cost for construction, construction engineering, and
18 inspection contingencies is \$920,000.00; and

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20 WHEREAS, the Federal Metropolitan Planning Organization's ("MPO") Surface
21 Transportation Program ("STP") funds have been awarded to the County Engineer for a grant to
22 cover the 80% of the Project's construction cost with a 20% local cash match requirement; and

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24 WHEREAS, the Ohio Department of Transportation ("ODOT") and the Engineer desire
25 to enter into a Local Public Agency ("LPA") agreement, to confirm the Project's construction
26 cost and to designate the County of Summit as the lead agency for administration of competitive
27 bidding, construction and construction engineering of the Project; and

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

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33 WHEREAS, said LPA Agreement will state ODOT shall provide to the LPA
34 \$736,000.00 in eligible costs from MPO STP funds; and

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

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

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

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46 SECTION 1

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48 The County Executive is hereby authorized to execute a Local Public Agency agreement
49 with the State of Ohio, through the Ohio Department of Transportation, for the improvement of
50 Riverview Road, Project Identification No. 92690, located in Boston Township, Council District
51 1.
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4 SECTION 2

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6 The terms of said agreement shall include the following:

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- 8 a. That the parties estimate the Project's cost to be \$920,000.00, with said cost including
9 construction engineering and inspection;
 - 10 b. That the LPA shall provide \$736,000.00 in Federal MPO STP funds with a local cash
11 match requirement of \$184,000.00 from the Motor Vehicle and Gas Tax fund;
 - 12 c. That the County of Summit shall provide all other financial resources necessary to
13 fully complete the Project;
 - 14 d. That, upon receipt of federal authorization from ODOT, the County may commence
15 competitive bidding activities for Project construction, with award of contract subject
16 to applicable County of Summit Ordinances, said ordinances requiring authorization
17 of such an award by County Council.
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22 SECTION 3

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24 This Resolution is hereby declared an emergency in the interest of the health, safety and
25 welfare of the citizens of the County of Summit, and for the further reason that it completes a
26 prerequisite for a road improvement in Boston Township that is immediately needed for safe and
27 convenient travel within the County.
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29 SECTION 4

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31 Provided this Resolution receives the affirmative vote of eight members, it shall take
32 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
33 effect and be in force at the earliest time provided by law.
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35 SECTION 5

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37 It is found and determined that all formal actions of this Council concerning and relating
38 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
39 deliberations of this Council and of any of its committees that resulted in such formal action,
40 were in meetings open to the public, in compliance with all legal requirements, including Section
41 121.22 of the Ohio Revised Code.
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INTRODUCED July 30, 2012

ADOPTED July 30, 2012



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED August 1, 2012



EXECUTIVE

ENACTED EFFECTIVE August 1, 2012

Voice Vote: 10-0. YES: Comunale, Crawford, Feeman, Kostandaras, Kurt, Lee
Rodgers, Roemer, Schmidt, Shapiro. Absent: Prentice