

1 RESOLUTION NO. 2012-399

Late Filing – First Reading Passage

Requested (J. Paradise)

2 SPONSOR Mr. Pry

3 DATE October 1, 2012

4 COMMITTEE Public Works

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7 **A Resolution declaring the recently identified structural deficiency to the Akron Peninsula**
8 **Road Bridge over Robinson Run (BST-010-0978) to be an emergency pursuant to Section**
9 **177.07(a)(3) of the Codified Ordinances of the County of Summit, and authorizing the**
10 **County Executive to enter into contracts for the repair of Akron Peninsula Road Bridge**
11 **over Robinson Run without complying with the competitive bidding procedures of Chapter**
12 **177, located in Boston Township, in Council District 1, for the County Engineer, and**
13 **declaring an emergency.**

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15 WHEREAS, the September 2012 Summit County Bridge Load Rating report, prepared
16 by Jones Stuckey Ltd., Inc., for the Akron Peninsula Road Bridge over Robinson Run (BST-
17 010-0978) (hereinafter "Akron Peninsula Road Bridge") located in Boston Township in Council
18 District 1, identified a significant structural defect in the bridge; and

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20 WHEREAS, the 38 foot long, 33'-6" wide bridge is acting as two separate side by side
21 bridges with one portion being a 12'-10½" wide pre-1930 bridge that was damaged prior to 1938
22 and the remainder of the bridge being a 20'-7 ½" wide 1938 bridge repair project; and

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24 WHEREAS, the pre-1930 bridge portion is capable of carrying only 35% of the legal
25 load and the 1938 bridge repair project is capable of carrying only 65% of the legal load; and

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27 WHEREAS, the structural defect to the Akron Peninsula Road Bridge involves
28 deterioration to the longitudinal load carrying members such that two of the three members from
29 the pre-1930 bridge is capable of carrying only 35% and 40% of the legal loads; and

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31 WHEREAS, the structural defect to the Akron Peninsula Road Bridge involves
32 deterioration to the longitudinal load carrying members such that the structural member closest
33 to the centerline of the roadway from the 1938 bridge is capable of carrying only 65% of the
34 legal load; and

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36 WHEREAS, the County Engineer has determined the damage to the bridge a threat to
37 public safety and has posted load limit signs on Akron Peninsula Road to traffic until the
38 appropriate repairs can be made; and

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40 WHEREAS, it will be necessary for the County to engage both a designer and a
41 contractor for the repairs of the Akron Peninsula Road Bridge; and

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43 WHEREAS, it is critical to repair the Akron Peninsula Road Bridge as quickly as
44 possible and before the start of the winter season; and

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46 WHEREAS, Section 177.07(a)(3) of the Codified Ordinances of the County of Summit
47 permits the County Executive to enter into agreements without following the competitive bidding
48 process in times of emergency; and
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4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
5 that the damage to the Akron Peninsula Road Bridge constitutes an emergency under Section
6 177.07(a)(3) of the Codified Ordinances of the County of Summit and further finds and
7 determines that it is necessary and in the best interest of the County to authorize the County
8 Executive to enter into such agreements with contractors as he determines necessary to repair the
9 Akron Peninsula Road Bridge without having to comply with the competitive bidding process;

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11 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
12 of Ohio, that;

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14 SECTION 1

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16 The Council hereby finds and determines that the aforementioned structural damage to
17 the Akron Peninsula Road Bridge over Robinson Run (BST-010-0978), located in Boston
18 Township, in Council District 1, constitutes an emergency pursuant to Section 177.07(a)(3).

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20 SECTION 2

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22 As a result of the emergency circumstances, this Council hereby authorizes the County
23 Executive to enter into a design build contract with contractors for the repair of the Akron
24 Peninsula Road Bridge, that is necessary as a result of the aforementioned structural damage,
25 without complying with the competitive bidding procedures outlined in Chapter 177, provided,
26 however that the contract shall be approved by the Board of Control, and the County Engineer,
27 where time permits, shall obtain three quotes for any work to be performed prior to entering into
28 a contract for work.

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30 SECTION 3

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32 This Resolution is hereby declared an emergency in the interest of the health, safety and
33 welfare of the citizens of the County of Summit, and for the further reason to allow for the
34 immediate repair of the Akron Peninsula Road Bridge.

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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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2 PAGE THREE

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5 INTRODUCED October 1, 2012

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7 ADOPTED October 1, 2012

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11 CLERK OF COUNCIL

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13 PRESIDENT OF COUNCIL

14 APPROVED October 2, 2012

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16 
17 EXECUTIVE

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19 ENACTED EFFECTIVE October 2, 2012

Voice Vote: YES: Comunale, Feeman, Kostandaras, Kurt, Lee, Rodgers,
Roemer, Schmidt, Shapiro. No: Crawford Absent: Prentice
9-1