

1 RESOLUTION NO. 2012-410

2  
3 SPONSOR Mr. Pry

4  
5 DATE November 5, 2012 COMMITTEE Public Works

6  
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 \$498,000.00, for the Engineer, and declaring an emergency.**

11  
12 WHEREAS, the public interest of the County of Summit requires the improvement of  
13 Riverview Road from Boston Mills Road (C.H. 32) to the Cuyahoga County line, including  
14 restoring the road surface, improving the road shoulders, repairing the road base where required,  
15 ditching, reconstructing catch basins, pavement marking, and upgrading guardrail, Project  
16 Identification ("PID") Number 93816, located in Boston Township ("Project"); and

17  
18 WHEREAS, the Project's estimated cost for construction, construction engineering, and  
19 inspection contingencies is \$498,000.00; and

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

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

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

33  
34 WHEREAS, said LPA Agreement will state ODOT shall provide to the LPA  
35 \$425,000.00 in eligible costs from MPO STP funds; and

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

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

43  
44 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
45 of Ohio, that:  
46

3  
4 SECTION 1

5  
6 The County Executive is hereby authorized to execute a Local Public Agency agreement  
7 with the State of Ohio, through the Ohio Department of Transportation, for the improvement of  
8 Riverview Road, Project Identification Number 93816, located in Boston Township, Council  
9 District 1.

10  
11 SECTION 2

12 The terms of said agreement shall include the following:

- 13  
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- 15 a. That the parties estimate the Project's cost to be \$498,000.00, with said cost including  
16 construction engineering and inspection;
  - 17  
18 b. That LPA shall provide \$425,000.00 in Federal MPO STP funds with a local cash  
19 match requirement of \$73,000.00 from the Motor Vehicle and Gas Tax fund;
  - 20  
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 County Council.
- 28

29 SECTION 3

30  
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 in Boston Township that is immediately needed for safe and  
34 convenient travel within the County.

35  
36 SECTION 4

37  
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.

41  
42 SECTION 5

43  
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.

49

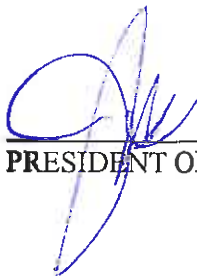
1 RESOLUTION NO. 2012-410

2 PAGE THREE

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5 INTRODUCED October 22, 2012

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7 ADOPTED November 5, 2012

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12 CLERK OF COUNCIL

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17 PRESIDENT OF COUNCIL

18 APPROVED November 6, 2012

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