

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
14
- 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
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

RESOLUTION NO. 2012-410

PAGE THREE

INTRODUCED October 22, 2012

ADOPTED November 5, 2012



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED November 6, 2012



EXECUTIVE

ENACTED EFFECTIVE November 6, 2012

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