

1 RESOLUTION NO. 2012-411

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 \$550,000.00, 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 Village of Peninsula north corporate line to Boston Mills Road (C.H.
14 32), including restoring the road surface, improving the road shoulders, repairing the road base
15 where required, ditching, reconstructing catch basins, pavement marking, and upgrading
16 guardrail, Project Identification ("PID") Number 93815, located in Boston Township, ("Project");
17 and

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19 WHEREAS, the Project's estimated cost for construction, construction engineering, and
20 inspection contingencies is \$550,000.00; and

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

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26 WHEREAS, the Ohio Department of Transportation ("ODOT") and the Engineer desire
27 to enter into a Local Public Agency ("LPA") agreement, to confirm the Project's construction
28 cost and to designate the County of Summit as the lead agency for administration of competitive
29 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, as well as
32 Section 2.03 (5) of the County of Summit Charter, allow execution of such agreements, subject
33 to the approval of County Council; and

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35 WHEREAS, said LPA Agreement will state ODOT shall provide to the LPA
36 \$440,000.00 in eligible costs from MPO STP 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 enter into 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 Ohio Department of Transportation, for the
8 improvement of Riverview Road, Project Identification No. 93815, located in Boston Township,
9 Council 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 \$550,000.00, with said cost including
16 construction engineering and inspection;
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18 b. That LPA shall provide \$440,000.00 in Federal MPO STP funds with a local match
19 requirement of \$110,000.00 from the Motor Vehicle and Gas Tax fund;
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21 c. That the County of Summit shall provide all other financial resources necessary to
22 fully complete the Project;
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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 this Council.

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29 SECTION 3

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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.

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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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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, Feenan, Kostandaras, Kurt Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro