

1 RESOLUTION NO. 2018-015

2
3 SPONSOR Ms. Shapiro

4
5 DATE _____ COMMITTEE Public Works

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7 **A Resolution authorizing the County Executive to execute any documents necessary for the**
8 **County to participate in a project for the improvement of Canton Road, County Route 66,**
9 **at the intersection of US 224 and State Route 91, located in the Village of Lakemore and**
10 **Springfield Township, in Council District 8, for a total estimated cost of \$8,069,381.82, with**
11 **the County’s share of the cost of the project an estimated amount of \$701,840.72, and**
12 **authorizing the Director of the Ohio Department of Transportation to administer the**
13 **project, for the Engineer, and declaring an emergency.**

14
15 WHEREAS, the Ohio Department of Transportation (“ODOT”) and the County Engineer
16 have identified the need for widening and safety improvements along Canton Road, County
17 Route 66, at the intersection of US 224 and State Route 91, Project Identification Number 89113
18 (the “Project”) located in the Village of Lakemore and Springfield Township, in Council District
19 8; and

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21 WHEREAS, the County of Summit owns and maintains the southern leg of the above
22 referenced intersection and ODOT owns and maintains the northern, eastern, and western legs of
23 the intersection; and

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25 WHEREAS, ODOT will act as the lead administrator and administer the Project; and

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27 WHEREAS, the Project’s cost is currently estimated at \$8,069,381.82, with the County’s
28 share of the cost of the Project an estimated amount of \$701,840.72; and

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30 WHEREAS, ODOT has requested authorizing legislation, pursuant to Ohio Revised
31 Code Section 5521.01, giving the Director of ODOT the authority to administer the Project; and

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33 WHEREAS, this Council has determined by reviewing all pertinent information that it is
34 necessary and in the best interest of the County of Summit to authorize the Executive to execute
35 any documents necessary for the County to participate in the Project and to authorize the
36 Director of ODOT to administer the Project;

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

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41 SECTION 1

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43 The County Executive is hereby authorized to execute any documents necessary for the
44 County to participate in the improvement of Canton Road, County Route 66, at the intersection
45 of US 224 and State Route 91, Project Identification Number 89113 (the “Project”) located in the
46 Village of Lakemore and Springfield Township, in Council District 8, for a total estimated cost
47 of \$8,069,381.82, with the County’s share of the cost of the Project an estimated amount of
48 \$701,840.72. The County of Summit gives consent to the Director of the Ohio Department of
49 Transportation (“ODOT”) to administer the Project.

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4 SECTION 2

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6 The County of Summit agrees to participate in the cost of construction within Springfield
7 Township limits, in Council District 8, and equally matched by ODOT at the same percentages
8 as follows:

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- 10 At Five Percent (5%) for Safety Funds,
- 11 At Ten Percent (10%) for Metropolitan Planning Organization Surface Transportation
- 12 Funds,
- 13 At Fifty Percent (50%) for the balance of the Project over all federal maximum amounts.

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15 The County of Summit further agrees that Springfield Township and the Village of
16 Lakemore will pay One Hundred Percent (100%) of the cost of those features requested by
17 Springfield Township and the Village of Lakemore which are determined by the State and
18 Federal Highway Administration to be unnecessary for the Project.

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20 The County of Summit further agrees that change order and extra work contracts required
21 to fulfill the construction contracts shall be processed as needed. The State shall not approve a
22 change order or extra work contract until it first gives notice, in writing, to the County of
23 Summit. The County of Summit shall contribute its share of the cost of these items in
24 accordance with other sections herein.

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26 SECTION 3

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28 Upon completion of the Project, and unless otherwise agreed, the County of Summit
29 shall: (1) provide adequate maintenance for the Project in accordance with all applicable state
30 and federal law, including but not limited to, 23 United States Code Section 116; (2) provide
31 ample financial provisions, as necessary for the maintenance of the Project; (3) maintain the
32 right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public
33 highway purposes except for the sidewalk, street lighting, and landscaping, which shall be
34 maintained by Springfield Township.

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36 SECTION 4

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38 The County of Summit agrees that if Federal Funds are used to pay the cost of any
39 consultant contract, the County of Summit shall comply with 23 Code of Federal Regulations
40 Chapter Part 172 in the selection of its consultant and the administration of the consultant
41 contract. Further the County of Summit agrees to incorporate ODOT's "Specifications for
42 Consulting Services" as a contract document in all of its consultant contracts. The County of
43 Summit agrees to require, as a scope of services clause, that all plans prepared by the consultant
44 must conform to ODOT's current design standards and that the consultant shall be responsible
45 for ongoing consultant involvement during the construction phase of the Project. The County of
46 Summit agrees to include a completion schedule acceptable to ODOT and to assist ODOT in
47 rating the consultant's performance through ODOT's Consultant Evaluation System.

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2 PAGE TWO

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4 SECTION 5

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the citizens of Summit County, and for the further reason that it expedite a highway
8 project that promotes safety in Council District 8.

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10 SECTION 6

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12 Provided this Resolution receives the affirmative vote of eight members, it shall take
13 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
14 effect and be in force at the earliest time provided by law.

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16 SECTION 7

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18 It is found and determined that all formal actions of this Council concerning and relating
19 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
20 deliberations of this Council and of any of its committees that resulted in such formal action,
21 were in meetings open to the public, in compliance with all legal requirements, including Section
22 121.22 of the Ohio Revised Code.

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25 INTRODUCED January 8, 2018

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28 ADOPTED _____

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32 CLERK OF COUNCIL

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PRESIDENT OF COUNCIL

35 APPROVED _____

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39 EXECUTIVE

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43 ENACTED EFFECTIVE