

1 RESOLUTION NO. 2020-066

2 SPONSOR Ms. Shapiro

3 DATE March 30, 2020

4 COMMITTEE Public Works

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7 **A Resolution declaring a break in a gravity sanitary sewer, a manhole and a sinkhole at the**
8 **Mudbrook Bar Screen in Cuyahoga Falls, in Council District 3, an emergency pursuant to**
9 **Section 177.07(a)(3) of the Codified Ordinances, and confirming an award by the Board of**
10 **Control of a construction contract with H.M. Miller Construction Co., in an amount not to**
11 **exceed \$365,149.85, for an emergency repair to the gravity sanitary sewer, for the**
12 **Executive's Department of Sanitary Sewer Services, and declaring an emergency.**

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14 WHEREAS, the Board of Control, at its March 4, 2020 meeting, awarded a construction
15 contract with H.M. Miller Construction Co., Inc., for an emergency repair of said gravity sanitary
16 sewer, manhole and sinkhole in an amount not to exceed \$365,149.85, subject to confirmation by
17 County Council; and

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19 WHEREAS, due to a break in a gravity sanitary sewer, manhole and sinkhole at the
20 Mudbrook Bar Screen in Cuyahoga Falls, in Council District 3, it is necessary for the County to
21 utilize H.M. Miller Construction Co. for an emergency repair of said gravity sanitary sewer,
22 manhole and sinkhole in order for the sanitary sewer and bar screen to be returned to normal
23 operation; and

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25 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
26 that the aforementioned repair constitutes an emergency repair under Section 177.07(a)(3) and
27 further finds and determines that it is necessary and in the best interest of the County of Summit
28 to confirm the award by the Board of Control of a construction contract with H.M. Miller
29 Construction Co. for said emergency repair of the gravity sanitary sewer, manhole and sinkhole,
30 in an amount not to exceed \$365,149.85;

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

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35 SECTION 1

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37 This Council finds and determines that the repair of a gravity sanitary sewer, manhole and
38 sinkhole at the Mudbrook Bar Screen in Cuyahoga Falls, in Council District 3, is an emergency
39 pursuant to Section 177.07(a)(3) of the Codified Ordinances of the County of Summit.

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41 SECTION 2

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43 The award by the Board of Control of a construction contract with H.M. Miller
44 Construction Co. for an emergency repair of a gravity sanitary sewer, manhole and sinkhole at
45 the Mudbrook Bar Screen in Cuyahoga Falls, in Council District 3, in an amount not to exceed
46 \$365,149.85, is hereby confirmed and the County Executive is hereby authorized to execute such
47 construction contract and any other necessary related documents.
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1 RESOLUTION NO. 2020-066

2 PAGE TWO

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4 SECTION 3

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and
7 welfare of the residents of the County of Summit, and for the further reason to immediately
8 authorize a necessary construction contract with H.M. Miller Construction Co. for an emergency
9 repair of the gravity sanitary sewer, manhole and a sinkhole at the Mudbrook Bar Screen in
10 Cuyahoga Falls, in Council District 3.

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12 SECTION 4

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

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18 SECTION 5

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20 It is found and determined that all formal actions of this Council concerning and relating
21 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
22 deliberations of this Council and of any of its committees that resulted in such formal action,
23 were in meetings open to the public, in compliance with all legal requirements, including Section
24 121.22 of the Ohio Revised Code.

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27 INTRODUCED March 16, 2020

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29 ADOPTED March 30, 2020

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33 _____
34 CLERK OF COUNCIL

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39 PRESIDENT OF COUNCIL

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41 APPROVED March 31, 2020

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40 EXECUTIVE

41 ENACTED EFFECTIVE March 31, 2020

Voice Vote YES: 11-0 Dickinson, Donofrio, Feeman, Koehler,
McKenney, Prentice, Rodgers, Schmidt, Sims, Walters, Wilhite