

1 RESOLUTION NO. 2011-073

**First Reading Passage Requested**  
**(R. Sobnosky)**

2 SPONSOR Mr. Pry

3 DATE February 14, 2011

COMMITTEE Public Works

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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**  
9 **("ODOT"), for replacement of the Northampton Road Bridge over Mud Run, located in**  
10 **the City of Cuyahoga Falls, Council District 3, at a net cost to the County of Summit not to**  
11 **exceed \$148,800.00, for the County Engineer, and declaring an emergency.**

12  
13 WHEREAS, the public interest of the County of Summit requires the replacement of the  
14 Northampton Road Bridge over Mud Run, Bridge No. CUY-027-0435, located in the City of  
15 Cuyahoga Falls, Council District 3 (said improvement being referenced herein as the "Project");  
16 and

17  
18 WHEREAS, the Project's estimated cost for construction, construction engineering and  
19 inspection (herein referenced as the "Project's Construction Cost") is \$502,000.00; and

20  
21 WHEREAS, the Project's estimated cost for right of way acquisition, design, advertising,  
22 bidding and contingencies is \$229,267.00, resulting in a total project cost of \$731,267.00; and

23  
24 WHEREAS, the Federal Highway Administration ("FHWA") has committed  
25 \$401,600.00 towards the Project's Construction Cost; and

26  
27 WHEREAS, the County of Summit, by Resolution No. 2008-278 has previously  
28 committed \$180,867.00 for design work; and

29  
30 WHEREAS, the County of Summit plans to provide the remaining Project funds, in an  
31 amount not to exceed \$148,800.00; and

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33 WHEREAS, ODOT and the County of Summit Engineer desire to enter into a Local  
34 Public Agency ("LPA") agreement, to confirm the Project's Construction Cost and to designate  
35 the County of Summit as the lead agency for administration of competitive bidding, construction  
36 and construction engineering of the Project; and

37  
38 WHEREAS, Ohio Revised Code Sections 5501.03 (c) and 5543.01, as well as Article II,  
39 Section 2.03(5) of the County of Summit Charter, allows execution of such agreements, subject  
40 to the approval of this Council; and

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42 WHEREAS, said LPA Agreement will cite the County of Summit's share of the Project's  
43 Construction Cost as \$100,400.00; and

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

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48 WHEREAS, this Council has determined by reviewing all pertinent information that  
49 authorizing the County Executive to execute the aforementioned LPA agreement with ODOT is  
50 necessary and in the best interest of the County of Summit;

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4 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
5 of Ohio, that:

6  
7 SECTION 1

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9 The County Executive is hereby authorized to enter into a Local Public Agency  
10 agreement with the State of Ohio, through the Ohio Department of Transportation, for the  
11 improvement of the Northampton Road Bridge over the Mud Run, Bridge No. CUY-027-0435,  
12 located in the City of Cuyahoga Falls, Council District 3.

13  
14 SECTION 2

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16 The terms of said agreement shall include the following:

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- 18 a. That the parties estimate the Project's Construction Cost to be \$502,000.00, with said  
19 cost including construction engineering and inspection;
  - 20
  - 21 b. That the net estimated cost to the County of Summit shall be an amount not to exceed  
22 \$100,400.00;
  - 23
  - 24 c. That the County of Summit shall provide all other financial resources necessary to  
25 fully complete the Project; and
  - 26
  - 27 d. That, upon receipt of federal authorization from ODOT, the County may commence  
28 competitive bidding activities for Project construction, with award of contract subject  
29 to applicable County of Summit Ordinances, said ordinances requiring authorization  
30 of such an award by this Council.
  - 31

32 SECTION 3

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34 This Resolution is hereby declared an emergency in the interest of the health, safety and  
35 welfare of the citizens of the County of Summit, and for the further reason that it completes a  
36 prerequisite for a bridge improvement immediately needed for safe and convenient travel within  
37 the County.

38  
39 SECTION 4

40  
41 Provided this Resolution receives the affirmative vote of eight members, it shall take  
42 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
43 effect and be in force at the earliest time provided by law.

44  
45 SECTION 5

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47 It is found and determined that all formal actions of this Council concerning and relating  
48 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
49 deliberations of this Council and of any of its committees that resulted in such formal action,  
50 were in meetings open to the public, in compliance with all legal requirements, including Section  
51 121.22 of the Ohio Revised Code.  
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5 INTRODUCED February 14, 2011

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8 ADOPTED February 14, 2011

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11  
12 Charley P. Gue  
13 CLERK OF COUNCIL

[Signature]  
14 PRESIDENT OF COUNCIL

15 APPROVED February 14, 2011

16  
17  
18 [Signature]  
19 EXECUTIVE

20 ENACTED EFFECTIVE February 14, 2011

Voice Vote: 11-0 YES: Comunale, Crawford, Feeman, Kostandaras  
Poda, Prentice, Rodgers, Roemer, Schmidt, Shapiro, Smith