

1 RESOLUTION NO. 2016-194

2
3 SPONSOR Mr. Pry, Mr. Kostandaras

4
5 DATE June 13, 2016 COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute a Memorandum of Agreement**
8 **with the State of Ohio Department of Transportation and the Eastern Federal Lands**
9 **Highway Division and any other documents necessary to accept a grant award for the**
10 **improvement of Boston Mills Road, located in Boston Township, at an estimated cost to the**
11 **County not to exceed \$321,000.00, for the Engineer, and declaring an emergency.**

12
13 WHEREAS, the County Engineer finds a public need for the rehabilitation and widening
14 of Boston Mills Road, from Riverview Road to just west of Blue Hen Falls, located in Boston
15 Township ("the Project"), in Council District 1; and

16
17 WHEREAS, the estimated cost for the second phase of the Project, including design
18 engineering, construction, construction engineering and inspection is \$627,000.00; and

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20 WHEREAS, the Engineer applied for and obtained a grant from the Federal Lands
21 Access Program, administered by the Eastern Federal Lands Highway Division, and passed
22 through the Ohio Department of Transportation, and they will provide \$300,000.00 towards the
23 first phase of the Project; and

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25 WHEREAS, the County of Summit plans to provide the remaining Project funds, in an
26 estimated amount not to exceed \$321,000.00; and

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28 WHEREAS, State of Ohio Department of Transportation ("ODOT"), the Eastern Federal
29 Lands Highway Division ("EFL") and the County Engineer desire to enter into a Memorandum
30 of Agreement, to confirm the Project's cost and to designate the County of Summit as the lead
31 agency for administration of design engineering, competitive bidding, construction and
32 construction engineering of the Project; and

33
34 WHEREAS, Sections 5501.03(c) and 5543.01 of the Ohio Revised Code, as well as
35 Article II, Section 2.03(5) of the County of Summit Charter, authorizes the County Executive to
36 execute such agreements, subject to the approval of County Council; and

37
38 WHEREAS, the Memorandum of Agreement will provide that the County of Summit's
39 share of the Project's construction estimated cost shall not exceed the amount of \$321,000.00;
40 and

41
42 WHEREAS, no funds will be expended for the Project's construction and right of way
43 acquisition until and unless authorized by separate resolutions; and
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1 RESOLUTION NO. 2016-194

2 PAGE TWO

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4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
5 that it is necessary and in the best interest of the County of Summit to authorize the County
6 Executive to execute a Memorandum of Agreement with ODOT and the EFL for the Project at
7 an estimated cost to the County not to exceed \$321,000.00, for the aforementioned reasons.

8
9 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
10 of Ohio, that:

11
12 SECTION 1

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14 The County Executive is hereby authorized to execute a Memorandum of Agreement
15 with the State of Ohio Department of Transportation ("ODOT"), and the Eastern Federal Lands
16 Highway Division ("EFL"), for the improvement of Boston Mills Road, located in Boston
17 Township, in Council District 1 ("Project").

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19 SECTION 2

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21 The terms of the Memorandum of Agreement shall include the following:

- 22
23 a. That the parties estimate the Project's design and construction cost to be \$627,000.00,
24 with said cost including construction engineering, and inspection; and
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26 b. That the parties estimate the Project's total cost to be \$627,000.00; and
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28 c. That the net estimated cost to the County of Summit shall not to exceed \$321,000.00;
29 and
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31 d. That the County of Summit shall provide all other financial resources necessary to
32 fully complete the Project; and
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34 SECTION 3

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36 This Resolution is hereby declared an emergency in the interest of the health, safety and
37 welfare of the citizens of the County of Summit, and for the further reason that it immediately
38 completes a prerequisite required in order to accept grant money awarded for a necessary County
39 road project in Boston Township.

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41 SECTION 4

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43 Provided this Resolution receives the affirmative vote of eight members, it shall take
44 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
45 effect and be in force at the earliest time provided by law.
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1 RESOLUTION NO. 2016-194

2 PAGE THREE

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4 SECTION 5

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6 It is found and determined that all formal actions of this Council concerning and relating
7 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
8 deliberations of this Council and of any of its committees that resulted in such formal action,
9 were in meetings open to the public, in compliance with all legal requirements, including Section
10 121.22 of the Ohio Revised Code.

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13 INTRODUCED May 23, 2016

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15 ADOPTED June 13, 2016

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21 APPROVED June 13, 2016

Voice Vote: 9-0 YES: Crawford, Donofrio, Feeman, Kostandaras, Prentice,
Rodgers, Schmidt, Walters, Wilhite
ABSENT: Lee, Shapiro