

1 RESOLUTION NO. 2021-022

2
3 SPONSOR Executive Shapiro

4
5 DATE February 8, 2021

COMMITTEE Public Works

6
7 **An amended Resolution confirming the award by the Board of Control of Change Order**
8 **No. 3 to a professional service contract with MS Consultants, Inc. for professional design**
9 **services for the Upper Tuscarawas Waste Water Treatment Plant #36 RBC Replacement**
10 **Project (Q-959), in Council District 8, in an amount not to exceed \$227,178.71 (for a**
11 **cumulative increase of ~~70.2~~ 63.6%) for a total amount not to exceed \$1,626,420.71**
12 **~~1,691,729.71~~, for the Executive's Department of Sanitary Sewer Services, and declaring an**
13 **emergency.**

14
15 WHEREAS, this Council previously adopted Resolution No. 2017-277, which confirmed
16 the award by the Board of Control of a professional service contract with MS Consultants, Inc.
17 for professional design services for the Upper Tuscarawas Waste Water Treatment Plant #36
18 RBC Replacement Project (Q-959) (the "Project"), in Council District 8, in an amount not to
19 exceed \$993,978.00; and

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21 WHEREAS, this Council subsequently adopted Resolution No. 2018-142, which
22 confirmed the award of Change Order No. 1 to the professional service contract with MS
23 Consultants, Inc. for the Project, in an amount not to exceed ~~\$65,309.00~~ 130,618.00 (for a
24 cumulative increase of ~~13.1~~ 6.6%), for a total amount not to exceed \$1,059,287.00 ~~1,124,596.00~~;
25 and

26
27 WHEREAS, this Council subsequently adopted Resolution No. 2019-024, which
28 confirmed the award of Change Order No. 2 to the professional service contract with MS
29 Consultants, Inc. for the Project, in an amount not to exceed \$339,955.00 (for a cumulative
30 increase of ~~47.3~~ 40.8%), for a total amount not to exceed \$1,399,242.00 ~~1,464,551.00~~; and

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32 WHEREAS, the Project requires additional design work due to a change in Project scope
33 including additional modeling, addition of the scum and grease, and concentrator, modifications
34 to the clarifiers and existing electrical system; and

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36 WHEREAS, the Board of Control, at its meeting held January 20, 2021, awarded Change
37 Order No. 3 to the professional service contract with MS Consultants, Inc. for the Project, in an
38 amount not to exceed \$227,178.71 (for a cumulative increase of ~~70.2~~ 63.6%), for a total amount
39 not to exceed \$1,626,420.71 ~~1,691,729.71~~; and

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41 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
42 that the aforementioned Change Order No. 3 to the professional service contract with MS
43 Consultants, Inc. 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:

47
48 SECTION 1

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50 The award by the Board of Control of Change Order No. 3 to the professional service
51 contract with MS Consultants, Inc. for professional design services for the Upper Tuscarawas
52 Waste Water Treatment Plant #36 RBC Replacement Project (Q-959) (the "Project"), in Council

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2 PAGE TWO

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4 SECTION 1 (Cont.)

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6 District 8, in an amount not to exceed in an amount not to exceed \$227,178.71 (for a cumulative
7 increase of ~~70.2~~ 63.6%), for a total amount not to exceed \$1,626,420.71 ~~1,691,729.71~~, is hereby
8 confirmed and the Executive is hereby authorized to execute said Change Order No. 3 and any
9 other necessary related documents.

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11 SECTION 2

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13 This Resolution is hereby declared an emergency in the interest of health, safety and
14 welfare of the residents of the County of Summit, and for the further reason to immediately
15 provide for additional professional design services for the Project so it may proceed in a timely
16 manner.

17
18 SECTION 3

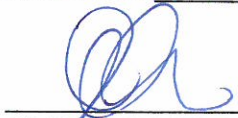
19
20 Provided this Resolution receives the affirmative vote of eight members, it shall take
21 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
22 effect and be in force at the earliest time provided by law.

23
24 SECTION 4

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26 It is found and determined that all formal actions of this Council concerning and relating
27 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
28 deliberations of this Council and of any of its committees that resulted in such formal action,
29 were in meetings open to the public, in compliance with all legal requirements, including Section
30 121.22 of the Ohio Revised Code.

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32
33 INTRODUCED January 25, 2021

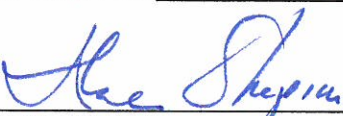
34
35 ADOPTED February 8, 2021

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37 
38 _____
39 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

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41 APPROVED February 10, 2021

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43 
44 _____
45 EXECUTIVE

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47 ENACTED EFFECTIVE February 10, 2021

Voice Vote - YES 10-0: Darrow, DeVitis, Dickinson, Donofrio,
McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite
ABSENT: Feeman