

1 RESOLUTION NO. 2023-052

2
3 SPONSOR Executive Shapiro

4
5 DATE March 6, 2023 COMMITTEE Public Works

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7 **A Resolution confirming the award by the Board of Control of Change Order No. 2 to a**
8 **professional service contract with MS Consultants, Inc., for additional tasks for the Wye**
9 **Road Flood Mitigation Project, in an amount not to exceed \$19,933.00 (for a cumulative**
10 **increase of 30.15%) for a total amount not to exceed \$163,728.00, for the Engineer, and**
11 **declaring an emergency.**

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13 WHEREAS, this Council previously adopted Resolution No. 2021-367, which confirmed
14 the award by the Board of Control of a professional service contract with MS Consultants, Inc.
15 for engineering services for the design of the Wye Road Flood Mitigation and Improvement
16 Plans, located in Bath Township, in Council District 4, in an amount not to exceed \$125,795.00;
17 and

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19 WHEREAS, the Engineer's office wishes to modify the stormwater detention basin and
20 include additional in-stream measures not previously included in the original contract or prior
21 change order; and

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23 WHEREAS, the Board of Control, at its meeting held on February 15, 2023, awarded
24 Change Order No. 2 to a professional service contract with MS Consultants, Inc., to perform
25 additional tasks for the Wye Road Flood Mitigation Project, in an amount not to exceed
26 \$19,933.00 (for a cumulative increase of 30.15%), which included a prior change order for
27 \$18,000.00, for a total amount not to exceed \$163,728.00, subject to confirmation by this
28 Council; and

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30 WHEREAS, this Council finds and determines, after reviewing all pertinent information
31 that the aforementioned Change Order No. 2 to the professional service contract with MS
32 Consultants, Inc. is necessary and in the best interest of the County of Summit;

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

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37 SECTION 1

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39 The award by the Board of Control of Change Order No. 2 to a professional service
40 contract with MS Consultants, Inc., to perform additional tasks for the Wye Road Flood
41 Mitigation Project, in an amount not to exceed \$19,933.00 (for a cumulative increase of
42 30.15%), for a total amount not to exceed \$163,728.00, is hereby confirmed, and the Executive is
43 hereby authorized to execute said change order and any other necessary related documents.

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45 SECTION 2

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47 This Resolution is hereby declared an emergency in the interest of the health, safety and
48 welfare of the residents of the County of Summit, and for the further reason to immediately
49 provide for additional flood control measures.

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2 PAGE TWO

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4 SECTION 3

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

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10 SECTION 4

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12 It is found and determined that all formal actions of this Council concerning and relating
13 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
14 deliberations of this Council and of any of its committees that resulted in such formal action,
15 were in meetings open to the public, in compliance with all legal requirements, including Section
16 121.22 of the Ohio Revised Code.

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19 INTRODUCED March 6, 2023

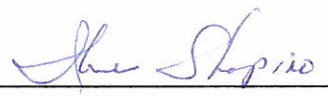
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21 ADOPTED March 20, 2023

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24 _____
25 CLERK OF COUNCIL



PRESIDENT OF COUNCIL

26
27 APPROVED March 20, 2023

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29 
30 _____
31 EXECUTIVE

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33 ENACTED EFFECTIVE March 21, 2023