

1 RESOLUTION NO. 2024-219

2

3 SPONSOR Executive Shapiro

4

5 DATE August 5, 2024

COMMITTEE Public Works

6

7 **An Ordinance amending Section 137.01 of the Codified Ordinances of the County of**
8 **Summit, entitled "Using Employees and Property by Force Account," to reflect the newly**
9 **revised Ohio Revised Code Section 5543.19, which raises the amounts for which the County**
10 **Engineer is authorized to self-perform road, bridge, and culvert construction work and**
11 **authorizing the force account limit to be increased annually in accordance with Ohio**
12 **Revised Code Section 5543.19(C), for the lesser of 5% or the percentage amount of any**
13 **increase in the Ohio Department of Transportation’s Construction Cost Index, for the**
14 **Engineer, and declaring an emergency.**

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16 WHEREAS, Section 137.01 of the Codified Ordinances of the County of Summit,
17 entitled "Using Employees and Property by Force Account," authorizes the County Engineer to
18 self-perform construction work, using labor employed by the County and materials and
19 equipment obtained or owned by the County to improve or repair of bridges or culverts where
20 the total cost of the work is \$100,000.00 or less and to construct roads, including widening and
21 resurfacing, where the total estimated cost of the work is \$30,000.00 or less per mile; and

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23 WHEREAS, the 135th Ohio General Assembly adopted House Bill 23, which amended
24 Section 5543.19 of the Ohio Revised Code, effective 6/30/23, to increase the amounts in counties
25 for which county engineers are authorized to self-perform the construction, reconstruction,
26 improvement, maintenance, or repair of bridges or culverts, and the construction or
27 reconstruction, including widening and resurfacing, of roads removing specified force account
28 limits from the Ohio Revised Code and instead authorizing the Ohio Department of
29 Transportation to raise force account limits annually in accordance with Construction Cost Index
30 inflation rate or 5%, whichever is less; and

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32 WHEREAS, effective July 1, 2024, the Ohio Department of Transportation’s set County
33 force account limits based on the Construction Cost Index to \$244,650.00 for bridge and culvert
34 construction work and \$73,500.00 per mile for road construction and improvement work; and

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36 WHEREAS, the Executive and Engineer wish to amend Section 137.01 of the Codified
37 Ordinances of the County of Summit to reflect the updates to the Ohio Revised Code which
38 provides for the annual update of the force account limits by reference to amounts established by
39 the Ohio Department of Transportation beginning July 1, 2024; and

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41 WHEREAS, this Council finds and determines, after reviewing all pertinent information
42 that the amendment of Section 137.01 to increase the amount at which the Engineer is authorized
43 to self-perform construction work annually in accordance with the Ohio Revised Code Section
44 5543.19 and the limits set by the Ohio Department of Transportation, is necessary and in the best
45 interest of the County of Summit;

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

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1 RESOLUTION NO. 2024-219

2 PAGE TWO

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4 SECTION 1

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6 Section 137.01 of the Codified Ordinances of the County of Summit, entitled "Using
7 Employees and Property by Force Account," is hereby amended as set forth in Exhibit A, a copy
8 of which is attached to this Ordinance and incorporated herein as if fully restated.

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10 SECTION 2

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12 This Ordinance is hereby declared to be an emergency in the interest of the health, safety
13 and welfare of the residents of the County of Summit and for the further reason that it is
14 necessary to immediately amend Section 137.01 of the Codified Ordinances.

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16 SECTION 3

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

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22 SECTION 4

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

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32 INTRODUCED August 5, 2024

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35 ADOPTED August 19, 2024

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37 **DocuSigned by:**
Monique Willis
38
39 **CLERK OF COUNCIL**
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42 APPROVED August 19, 2024

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44 **DocuSigned by:**
Jane Shapiro
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46 **EXECUTIVE**
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49 ENACTED EFFECTIVE August 20, 2024

DocuSigned by:
Rita J. Darrow
PRESIDENT OF COUNCIL
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Voice Vote – YES: 10 – 0: Darrow, Dickinson,
Donofrio, Ford, Kacyon, McKenney, Rodgers,
Schmidt, Wiedie Higham, Wilhite
Absent: Walters