

1 RESOLUTION NO. 2024-286

2

3 SPONSOR Executive Shapiro

4

5 DATE October 28, 2024 COMMITTEE Public Works

6

7 **A Resolution confirming the award by the Board of Control of a construction contract with**
8 **Mark Haynes Construction, Inc., for completion of the Wye Road Flood Mitigation and**
9 **Improvement Project – Phase 2 & 1B, located in Bath Township, in Council District 5, in**
10 **amount not to exceed \$880,276.00, for the Engineer, and declaring an emergency.**

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12 WHEREAS, in 2019, MS Consultants, Inc. prepared the Wye Road Flood Mitigation &
13 Alternative Study (the “Study”), which was submitted to the Summit County Surface Water
14 Management District (the “Water District”) and the owner of land along Wye Road, located
15 south of Yellow Creek in Bath Township, in Council District 4; and

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17 WHEREAS, the Study evaluated potential solutions to flooding and erosion concerns
18 reported by Bath Township to the Water District and in response to the Study, a plan of action
19 has been determined and engineering services are required; and

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21 WHEREAS, this Council previously adopted Resolution No. 2021-367, which confirmed
22 the award of the Board of Control of a professional service contract with MS Consultants, Inc.
23 for engineering services for the design of the Wye Road Flood Mitigation and Improvement
24 Plans, located in Bath Township, in Council District 4; and

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26 WHEREAS, this Council subsequently adopted Resolution 2023-302, which confirmed
27 the award of the Board of Control of a construction contract with Cook Paving and Construction
28 Co., Inc., for completion of the Wye Road Flood Mitigation and Improvement Project – Phase
29 1A, located in Bath Township, in Council District 4, in amount not to exceed \$183,332.50; and

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31 WHEREAS, this Council subsequently adopted Resolution 2024-208, which approved
32 the proposed public improvement known as the Wye Road Flood Mitigation and Improvements
33 Project - Phase 2, located in Bath Township, in Council District 5; and

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35 WHEREAS, this project is being funded using American Rescue Plan Act funds and also
36 Federal Emergency Management Agency funds through the Ohio Emergency Management
37 Agency; and

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39 WHEREAS, for Phase 2 & 1B, six bid packages were distributed with two bids being
40 received and the Executive selected the bid by Mark Haynes Construction, Inc. as the lowest
41 responsive and responsible bid; and

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43 WHEREAS, the Board of Control, at its meeting held on October 23, 2024 awarded a
44 construction contract with Mark Haynes Construction, Inc., as the lowest responsive and
45 responsible bid, for completion of the Wye Road Flood Mitigation and Improvement Project –
46 Phase 2 & 1B, located in Bath Township, in Council District 5, in amount not to exceed
47 \$880,276.00, subject to confirmation by this Council; and

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49 WHEREAS, this Council finds and determines, after reviewing all pertinent information
50 that the aforementioned construction contract with Mark Haynes Construction, Inc. is necessary
51 and in the best interest of the County of Summit;

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53

1 RESOLUTION NO. 2024-286

2 PAGE TWO

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

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7 SECTION 1

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9 The award by the Board of Control of a construction contract with Mark Haynes
10 Construction, Inc. for completion of the Wye Road Flood Mitigation and Improvement Project –
11 Phase 2 & 1B, located in Bath Township, in Council District 5, in amount not to exceed
12 \$880,276.00, is hereby confirmed, and the Executive is hereby authorized to execute said
13 construction contract and any other necessary related documents.

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15 SECTION 2

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17 This Resolution is hereby declared an emergency in the interest of the health, safety and
18 welfare of the residents of the County of Summit, and for the further reason to immediately
19 provide for necessary engineering work to address flooding and erosion of Wye Road in Bath
20 Township.

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22 SECTION 3

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

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28 SECTION 4

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30 It is found and determined that all formal actions of this Council concerning and relating
31 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
32 deliberations of this Council and of any of its committees that resulted in such formal action,
33 were in meetings open to the public, in compliance with all legal requirements, including Section
34 121.22 of the Ohio Revised Code.

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37 INTRODUCED October 28, 2024

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39 ADOPTED November 18, 2024

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DocuSigned by:
Monique Willis

CLERK OF COUNCIL
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45 APPROVED November 18, 2024

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DocuSigned by:
Jane Shapiro

EXECUTIVE
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51 ENACTED EFFECTIVE November 19, 2024

DocuSigned by:

Rita J. Darrow

PRESIDENT OF COUNCIL
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Voice Vote – YES: 11 – 0: Darrow, Dickinson,
Donofrio, Ford, Kacyon, McKenney, Rodgers,
Schmidt, Wiedie Higham, Walters, Wilhite