

RESOLUTION NO. 2025-020

SPONSOR Executive Shapiro

DATE January 27, 2025

COMMITTEE Public Works

An amended Resolution declaring the Mudbrook Sanitary Emergency Repair Project to repair the Mudbrook sewer trunkline on Canyon Brook Drive, located in the City of Cuyahoga Falls, in Council District 3 2, an emergency pursuant to Section 177.07(a)(3) of the Codified Ordinances of the County of Summit, and confirming the award by the Board of Control of a construction contract with Wingfoot Rental & Development Co., for an emergency repair to the sewer trunkline, in an amount not to exceed \$829,386.18, for the Executive's Department of Sanitary Sewer Services, and declaring an emergency.

WHEREAS, this Council previously adopted Resolution No. 2024-248 to authorize the County to apply for and execute a grant from the Ohio Public Works Commission State Capital Improvement and/or Local Transportation Improvement Programs to accept grant funding in an amount not to exceed \$639,520.80 with a local match not to exceed \$426,347.20 for a total estimated amount not to exceed \$1,065,868.00 to fund a portion of the infrastructure sewer improvement for the Mudbrook Sanitary Emergency Repair Project, located in the City of Cuyahoga Falls, in Council District 3; and

WHEREAS, a weather storm event on August 8, 2024, caused a significant amount of rain to fall within a short period of time causing the Mudbrook stream to rise rapidly and washout a portion of Canyon Brook Drive, in Cuyahoga Falls, that also took out the County's 36" sanitary siphon sewer trunkline that conveys sanitary sewage from portions of the Cities of Akron, Cuyahoga Falls, Monroe Falls, Tallmadge and the Village of Silver Lake to the City of Akron's Water Reclamation Facility; and

WHEREAS, the emergency repair to the Mudbrook siphon sewer trunkline required a temporary repair including the installation of an 18" diameter high density polyethylene ("HDPE") pipe supported by a bypass-pumping system around the break area to avoid continuing sanitary sewer overflows in the Mudbrook stream, which is tributary to the Cuyahoga River; and a permanent repair including the relocation of approximately 820 feet of sanitary sewer with 30" diameter ductile iron pipe (DIP) further south of the Mudbrook stream to re-establish permanent infrastructure ("Mudbrook Sanitary Emergency Repair Project"); and

WHEREAS, Wingfoot Rental & Development Co. was directed to make the emergency repair for the Mudbrook Sanitary Emergency Repair Project based on their expertise, availability and performance on similar projects; and

WHEREAS, the above referenced circumstances made it necessary for the County to utilize Wingfoot Rental & Development Co. for the Mudbrook Sanitary Emergency Repair Project for the emergency repair of the Mudbrook sewer trunkline on Canyon Brook Drive, located in the City of Cuyahoga Falls, to be returned to normal operations; and

WHEREAS, the Board of Control, at its January 15, 2025 meeting, awarded a construction contract with Wingfoot Rental & Development Co. for an emergency repair for the Mudbrook Sanitary Emergency Repair Project, located in the City of Cuyahoga Falls, in Council District 3 2 in an amount not to exceed \$829,386.18, subject to confirmation by this Council; and

RESOLUTION NO. 2025-020

PAGE TWO

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that the aforementioned repairs constitute an emergency repair under Section 177.07(a)(3) of the Codified Ordinances of the County of Summit and further finds and determines that it is necessary and in the best interest of the County of Summit to confirm the award by the Board of Control of a construction contract with Wingfoot Rental & Development Co. for said emergency repair for the Mudbrook Sanitary Emergency Repair Project, in an amount not to exceed \$829,386.18;

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

SECTION 1

This Council finds and determines that the Mudbrook Sanitary Emergency Repair Project for the emergency repair of the Mudbrook sewer trunkline on Canyon Brook Drive, located in the City of Cuyahoga Falls, in Council District 3 2, is an emergency pursuant to Section 177.07(a)(3) of the Codified Ordinance of the County of Summit.

SECTION 2

The award by the Board of Control of a construction contract with Wingfoot Rental & Development Co. for an emergency repair for the Mudbrook Sanitary Emergency Repair Project, for the Mudbrook sewer trunkline on Canyon Brook Drive, located in the City of Cuyahoga Falls, in Council District 3 2, in an amount not to exceed \$829,386.18, is hereby confirmed and the Executive is hereby authorized to execute said construction contract and any other necessary related documents.

SECTION 3

This Resolution is declared an emergency in the interest of the health, safety and welfare of the residents of the County of Summit and for the further reason to immediately authorize a necessary construction contract with Wingfoot Rental & Development Co. for an emergency repair for the Mudbrook Sanitary Emergency Repair Project, for the Mudbrook sewer trunkline on Canyon Brook Drive, located in the City of Cuyahoga Falls, in Council District 3 2.

SECTION 4

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

SECTION 5

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

1 RESOLUTION NO. 2025-020

2 PAGE THREE

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5 INTRODUCED January 27, 2025

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7 ~~ADOPTED~~ ^{DocuSigned by:} February 10, 2025

8 Monique Willis

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10 ~~CLERK OF COUNCIL~~

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12 ~~APPROVED~~ ^{DocuSigned by:} February 10, 2025

13 Gene Shapiro

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15 ~~EXECUTIVE~~

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17 ENACTED EFFECTIVE February 11, 2025

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^{DocuSigned by:}

Rita J. Darrow

~~PRESIDENT OF COUNCIL~~

Voice Vote – YES: 9 – 0: Darrow,
Dickinson, Ford, Kacyon, Licate,
McKenney, Schmidt, Walters, Wilhite
Absent: Donofrio, Higham