

RESOLUTION NO. 2009-319

SPONSOR Mr. Pry

DATE September 14, 2009

COMMITTEE Public Works

A Resolution confirming an award by the Board of Control of a construction contract with The Shelly Company for 2009 Rothrock Road (CH202) Resurfacing, repealing and substituting Resolution 2009-255, in an amount not to exceed \$374,863.80, in Council District 5, for the Engineer, and declaring an emergency.

WHEREAS, the Board of Control, at its meeting held June 10, 2009, awarded a construction contract to provide the aforementioned resurfacing, in the amount of \$374,863.80, subject to confirmation by County Council; and

WHEREAS, after the Engineer determined it necessary to reduce the scope and amount of the contract, to cover only the portion of Rothrock Road within the County's jurisdiction, the Board of Control amended the amount of the contract award to \$222,023.09

WHEREAS, in accordance with the amended award from the Board of Control, this Council adopted Resolution No. 2009-255 confirming the award in the amount of \$222,023.09; and

WHEREAS, the City of Fairlawn passed legislation August 10, 2009 authorizing Fairlawn to enter into agreement with the County of Summit to participate in the improvement of Rothrock Road; and

WHEREAS, given that the City of Fairlawn authorized said agreement, the Engineer determined it necessary to increase the contract back to the original scope and amount to include Fairlawn's portion of Rothrock Road and to replace Resolution No. 2009-255; and

WHEREAS, the County's share of the costs is \$222,023.09 and the City of Fairlawn's share is \$152,840.71; and

WHEREAS, the Board of Control, at its meeting August 19, 2009, approved the clarification of the awarded contract to include the portion of Rothrock Road in the City of Fairlawn previously excluded per amended Resolution No. 2009-255; and

WHEREAS, County Council has determined by reviewing all pertinent information that the contract is necessary and in the best interest of the County of Summit;

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

SECTION 1

The award by the Board of Control of a construction contract with the Shelly Company for 2009 Rothrock Road (CH202) Resurfacing, Council District 5, in an amount not to exceed \$374,863.80 for paving of the portion of Rothrock Road located within the County's jurisdiction and the City of Fairlawn, is hereby confirmed and the County Executive is hereby authorized to execute such contract. This Resolution shall repeal and substitute the confirmation of award previously granted by Resolution 2009-255.

SECTION 2

This Resolution is hereby declared an emergency in the interest of the health, safety and welfare of the citizens of the County of Summit, and for the further reason that it will immediately allow road repairs to commence.

SECTION 3

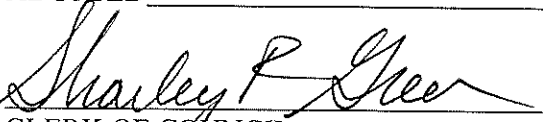
Provided this Resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

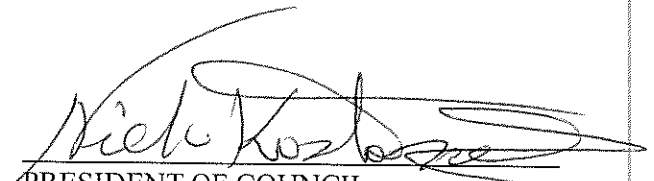
SECTION 4

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this 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.

INTRODUCED August 24, 2009

ADOPTED September 14, 2009


CLERK OF COUNCIL


PRESIDENT OF COUNCIL

APPROVED September 15, 2009


EXECUTIVE

September 15, 2009
ENACTED EFFECTIVE

Voice Vote: 10-0 YES: Comunale, Crawford, Crossland, Feeman, Kostandaras, Poda, Prentice, Rodgers, Schmidt, Smith ABSENT: Shapiro