RESOLUTION NO. 2012-132

SPONSOR______ Mr. Pry and Mr. Kostandaras

DATE______ April 2, 2012

COMMITTEE______ Public Works

A Resolution authorizing the County Executive to execute a Local Public Agency agreement with the State of Ohio, through the Ohio Department of Transportation, for the improvement of Akron Peninsula Road, located in Boston Township, Council District 1, in an amount not to exceed $705,000.00, for the Engineer, and declaring an emergency.

WHEREAS, the public interest of the County of Summit requires the improvement of Akron Peninsula Road from the Cuyahoga Falls North corporation line to Quick Road, including the resurfacing, shoulder restoration, guardrail installation, raised pavement markings and pavement markings, Project Identification (“PID”) number 92457, located in Boston Township, Council District 1 (said improvement being referenced herein as the “Project”); and

WHEREAS, the Project’s estimated cost for construction, construction engineering, inspection, right of way acquisition, design, advertising, bidding and contingencies is $705,000.00; and

WHEREAS, the Public Lands Highway Discretionary Fund has awarded the County Engineer a grant to cover the Project’s construction cost with no local cash match requirement; and

WHEREAS, the Ohio Department of Transportation (“ODOT”) and the County Engineer desire to enter into a Local Public Agency (“LPA”) agreement, to confirm the Project’s construction cost and to designate the County of Summit as the lead agency for administration of competitive bidding, construction and construction engineering of the Project; and

WHEREAS, Sections 5501.03 (c) and 5543.01 of the Ohio Revised Code and Section 2.03 (5) of the County of Summit Charter, allow execution of such agreements, subject to the approval of this Council; and

WHEREAS, said LPA agreement will state that ODOT shall provide to the LPA $705,000.00 in eligible costs from Federal Public Lands Highway Discretionary funds; and

WHEREAS, no funds will be expended for the Project’s construction until and unless authorized by separate resolution; and

WHEREAS, this Council finds and determines, after reviewing all pertinent information, that authorizing the County Executive to execute the aforementioned LPA agreement with ODOT 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:
RESOLUTION NO. 2012-132

SECTION 1

The County Executive is hereby authorized to enter into a Local Public Agency agreement with the State of Ohio, through the Department of Transportation, for the improvement of Akron Peninsula Road, PID No. 92457, located in Boston Township, Council District 1.

SECTION 2

The terms of said agreement shall include the following:

a. That the parties estimate the Project's cost to be $705,000.00, with said cost including construction engineering and inspection;

b. That there is no local match requirement;

c. That Summit County shall provide all other financial resources necessary to fully complete the Project; and

d. That, upon receipt of federal authorization from ODOT, the County may commence competitive bidding activities for Project construction, with award of contract subject to applicable County of Summit Ordinances, said ordinances requiring authorization of such an award by this Council.

SECTION 3

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 completes a prerequisite for an immediately needed road improvement for safe and convenient travel within the County.

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 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.
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INTRODUCED _______ April 20, 2012
ADOPTED _______ April 2, 2012

CLERK OF COUNCIL

APPROVED _______ April 2, 2012
EXECUTIVE

ENACTED EFFECTIVE _______ April 2, 2012

Voice Vote: 11-0. YES: Comunale, Crawford, Feeman, Kostandaras Kurt, Lee, Prentice, Rodgers, Roemer, Schmidt, Shapiro