RESOLUTION NO. 2012-399

SPONSOR: Mr. Pry

DATE: October 1, 2012

COMMITTEE: Public Works

Late Filing – First Reading Passage
Requested (J. Paradise)

A Resolution declaring the recently identified structural deficiency to the Akron Peninsula Road Bridge over Robinson Run (BST-010-0978) to be an emergency pursuant to Section 177.07(a)(3) of the Codified Ordinances of the County of Summit, and authorizing the County Executive to enter into contracts for the repair of Akron Peninsula Road Bridge over Robinson Run without complying with the competitive bidding procedures of Chapter 177, located in Boston Township, in Council District 1, for the County Engineer, and declaring an emergency.

WHEREAS, the September 2012 Summit County Bridge Load Rating report, prepared by Jones Stuckey Ltd., Inc., for the Akron Peninsula Road Bridge over Robinson Run (BST-010-0978) (hereinafter “Akron Peninsula Road Bridge”) located in Boston Township in Council District 1, identified a significant structural defect in the bridge; and

WHEREAS, the 38 foot long, 33'-6” wide bridge is acting as two separate side by side bridges with one portion being a 12'-10½” wide pre-1930 bridge that was damaged prior to 1938 and the remainder of the bridge being a 20'-7 ½” wide 1938 bridge repair project; and

WHEREAS, the pre-1930 bridge portion is capable of carrying only 35% of the legal load and the 1938 bridge repair project is capable of carrying only 65% of the legal load; and

WHEREAS, the structural defect to the Akron Peninsula Road Bridge involves deterioration to the longitudinal load carrying members such that two of the three members from the pre-1930 bridge is capable of carrying only 35% and 40% of the legal loads; and

WHEREAS, the structural defect to the Akron Peninsula Road Bridge involves deterioration to the longitudinal load carrying members such that the structural member closest to the centerline of the roadway from the 1938 bridge is capable of carrying only 65% of the legal load; and

WHEREAS, the County Engineer has determined the damage to the bridge a threat to public safety and has posted load limit signs on Akron Peninsula Road to traffic until the appropriate repairs can be made; and

WHEREAS, it will be necessary for the County to engage both a designer and a contractor for the repairs of the Akron Peninsula Road Bridge; and

WHEREAS, it is critical to repair the Akron Peninsula Road Bridge as quickly as possible and before the start of the winter season; and

WHEREAS, Section 177.07(a)(3) of the Codified Ordinances of the County of Summit permits the County Executive to enter into agreements without following the competitive bidding process in times of emergency; and
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WHEREAS, this Council finds and determines, after reviewing all pertinent information, that the damage to the Akron Peninsula Road Bridge constitutes an emergency 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 to authorize the County Executive to enter into such agreements with contractors as he determines necessary to repair the Akron Peninsula Road Bridge without having to comply with the competitive bidding process;

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

SECTION 1

The Council hereby finds and determines that the aforementioned structural damage to the Akron Peninsula Road Bridge over Robinson Run (BST-010-0978), located in Boston Township, in Council District 1, constitutes an emergency pursuant to Section 177.07(a)(3).

SECTION 2

As a result of the emergency circumstances, this Council hereby authorizes the County Executive to enter into a design build contract with contractors for the repair of the Akron Peninsula Road Bridge, that is necessary as a result of the aforementioned structural damage, without complying with the competitive bidding procedures outlined in Chapter 177, provided, however that the contract shall be approved by the Board of Control, and the County Engineer, where time permits, shall obtain three quotes for any work to be performed prior to entering into a contract for work.

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 to allow for the immediate repair of the Akron Peninsula Road Bridge.

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 October 1, 2012
ADOPTED October 1, 2012

CLERK OF COUNCIL

APPROVED October 2, 2012

EXECUTIVE

ENACTED EFFECTIVE October 2, 2012

Voice Vote: YES: Comunale, Feeman, Kostandaras, Kurt, Lee, Rodgers, Roemer, Schmidt, Shapiro. No: Crawford Absent: Prentice 9-1