RESOLUTION NO. 2012-411

SPONSOR __________ Mr. Pry ______

DATE ___________ November 5, 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 Riverview Road, located in Boston Township, Council District 1, at a cost not to exceed $550,000.00, for the Engineer, and declaring an emergency.

WHEREAS, the public interest of the County of Summit requires the improvement of Riverview Road from the Village of Peninsula north corporate line to Boston Mills Road (C.H. 32), including restoring the road surface, improving the road shoulders, repairing the road base where required, ditching, reconstructing catch basins, pavement marking, and upgrading guardrail, Project Identification (“PID”) Number 93815, located in Boston Township, (“Project); and

WHEREAS, the Project’s estimated cost for construction, construction engineering, and inspection contingencies is $550,000.00; and

WHEREAS, the Federal Metropolitan Planning Organization’s (“MPO”) Surface Transportation Program (“STP”) funds have been awarded to the County Engineer for a grant to cover the 80% of the Project’s construction cost with a 20% local cash match requirement; and

WHEREAS, the Ohio Department of Transportation (“ODOT”) and the 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, as well as Section 2.03 (5) of the County of Summit Charter, allow execution of such agreements, subject to the approval of County Council; and

WHEREAS, said LPA Agreement will state ODOT shall provide to the LPA $440,000.00 in eligible costs from MPO STP 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 enter into 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:
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SECTION 1

The County Executive is hereby authorized to enter into a Local Public Agency agreement with the State of Ohio, through the Ohio Department of Transportation, for the improvement of Riverview Road, Project Identification No. 93815, 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 $550,000.00, with said cost including construction engineering and inspection;

b. That LPA shall provide $440,000.00 in Federal MPO STP funds with a local match requirement of $110,000.00 from the Motor Vehicle and Gas Tax fund;

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

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 a road improvement in Boston Township that is immediately needed 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 October 22, 2012
ADOPTED November 5, 2012

CLERK OF COUNCIL

APPROVED November 6, 2012
EXECUTIVE

ENACTED EFFECTIVE November 6, 2012

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