RESOLUTION NO. 2014-245

SPONSOR Mr. Pry

DATE June 2, 2014

COMMITTEE Public Works

A Resolution declaring the recent Shaw Road Bridge over Yellow Creek collapse (BAT-199-0068) located in Bath Township in Council District 5 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 replacement of the Shaw Road Bridge without complying with the competitive bidding procedures of Chapter 177, for the Engineer, and declaring an emergency.

WHEREAS, on May 12, 2014, a severe storm dropped approximately four inches of rain within a half an hour, causing debris and flood waters to wash out the Shaw Road Bridge over Yellow Creek (BAT-199-00668) located in Bath Township; and

WHEREAS, during the storm the barrier wall of the bridge was pushed back, the embankment eroded and the bridge collapsed, making a complete bridge replacement necessary; and

WHEREAS, the County Engineer has determined the damage to the Shaw Road Bridge over Yellow Creek a threat to public safety and has closed Shaw Road to traffic until the bridge replacement can be made; and

WHEREAS, the Engineer has begun the process of demolishing the remaining parts of the old bridge and designing a new bridge; and

WHEREAS, it will be necessary for the County to engage a engineering design firm and a contractor for the Shaw Road Bridge over Yellow Creek replacement; and

WHEREAS, it is critical to repair the Shaw Road Bridge over Yellow Creek as quickly as possible; 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

WHEREAS, this Council finds and determines that the collapse of the Shaw Road Bridge over Yellow Creek 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 Executive to enter into such agreements with contractors as he determines necessary to replace the Shaw Road Bridge over Yellow Creek 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:
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SECTION 1

County Council hereby finds and determines that the aforementioned Shaw Road Bridge over Yellow Creek collapse (BAT-199-0068) located in Bath Township constitutes an emergency pursuant to Section 177.07(a)(3) of the Codified Ordinances of the County of Summit.

SECTION 2

As a result of the emergency circumstances, this Council hereby authorizes the County Executive to enter into contracts with contractors for the replacement of the Shaw Road Bridge over Yellow Creek which are necessary as a result of the aforementioned structural damage, without complying with the competitive bidding procedures outlined in Chapter 177 of the Codified Ordinances of the County of Summit provided, however, that the contract shall be approved by the Board of Control, and the County Engineer, and where time permits, three quotes shall be obtained 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 replacement of the Shaw Road Bridge over Yellow Creek.

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.

INTRODUCED June 2, 2014

ADOPTED June 2, 2014

CLERK OF COUNCIL

APPROVED June 3, 2014

EXECUTIVE

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

PRESIDENT OF COUNCIL

ENACTED EFFECTIVE June 3, 2014