

1 RESOLUTION NO. 2018-084

2
3 SPONSOR Ms. Shapiro

4
5 DATE March 19, 2018

COMMITTEE Public Works

6
7 **A Resolution declaring a break in the Tallmadge Force Main Siphon Sewer to be an**
8 **emergency pursuant to Section 177.07(a)(3) of the Codified Ordinance of the County of**
9 **Summit, and authorizing the County Executive to execute a construction agreement and**
10 **any other documents necessary for payment of H.M. Miller Construction, Co., subject to**
11 **the approval of the Board of Control, in an amount not to exceed \$89,748.99 for the**
12 **emergency repair of the same, in Council District 6, for the Executive's Department of**
13 **Sanitary Sewer Services, and declaring an emergency.**

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15 WHEREAS, due to a break in the Tallmadge Force Main Siphon Sewer, in Council
16 District 6, it was necessary for the Department of Sanitary Sewer Services to utilize H.M. Miller
17 Construction Co. to perform an emergency repair of said sewer, in an amount not to exceed
18 \$89,748.99; and

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20 WHEREAS, Section 177.07(a)(3) of the Codified Ordinances of the County of Summit
21 permits the County Executive to enter into agreements without following the competitive bidding
22 process in times of emergency; and

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24 WHEREAS, this Council hereby determines that the repair of the Tallmadge Force Main
25 Siphon Sewer by H.M. Miller Construction, Co. to be an emergency repair pursuant to Section
26 177.07(a)(3); and

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28 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
29 that the aforementioned repair constitutes an emergency under Section 177.07(a)(3), and further
30 finds and determines that it is necessary and in the best interest of the County of Summit to
31 authorize the County Executive to execute a construction agreement and any documents
32 necessary for payment of H.M. Miller Construction, Co., subject to the approval of the Board of
33 Control, in an amount not to exceed \$89,748.99 for said emergency repair;

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

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38 SECTION 1

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40 This Council finds and determines that the repair of the Tallmadge Force Main Siphon
41 Sewer, in Council District 6, by H.M. Miller Construction, Co. to be an emergency repair
42 pursuant to Section 177.07(a)(3) of the Codified Ordinances of the County of Summit.

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44 SECTION 2

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46 The County Executive is hereby authorized to execute a construction agreement and any
47 other documents necessary for payment of H.M. Miller Construction, Co., subject to the approval
48 of the Board of Control, in an amount not to exceed \$89,748.99 for the emergency repair of the
49 Tallmadge Force Main Siphon Sewer., in Council District 6.

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SECTION 3

This Resolution is hereby declared an emergency in the interest of the health, safety, and welfare of the citizens of Summit County, and for the further reason to immediately authorize the payment of H.M. Miller Construction Co., as a Best Practical Source, subject to the approval of the Board of Control, for an emergency repair to the Tallmadge siphon sewer, in Council District 6.

SECTION 4

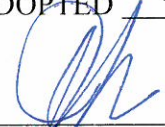
Provided this Resolution receives the affirmative vote of eight members, it shall take effect immediately upon its adoption and approval by the Executive; otherwise, it shall take effect and be in force at the earliest time provided by law.

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 March 5, 2018

ADOPTED March 19, 2018

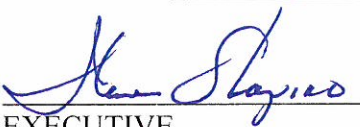


CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED March 20, 2018



EXECUTIVE

ENACTED EFFECTIVE March 20, 2018

Voice Vote: 10-0 YES: Dickinson, Donofrio, Feeman, Hamilton, Koehler, Prentice, Rodgers, Schmidt, Walters, Wilhite