

1 ORDINANCE NO. 2019-070

Late Filing

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE March 4, 2019

COMMITTEE Rules

6  
7 **An Ordinance amending Section 177.14 of the Codified Ordinances of the County of**  
8 **Summit, entitled “Construction Contracts,” to permit the use of construction management-**  
9 **at-risk and design build methods for the construction of County improvements, in addition**  
10 **to the use of general contractors, for the Executive’s Department of Law and Risk**  
11 **Management, and declaring an emergency.**

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13 WHEREAS, several years ago, the State of Ohio adopted revisions to the Ohio Revised  
14 Code allowing agencies of the State and political subdivisions within the State to utilize  
15 construction management-at-risk and design-build methods for the construction of public  
16 improvements; and

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18 WHEREAS, the State of Ohio began utilizing and permitting the use of construction  
19 management-at-risk and design-build methods for the construction of public improvements  
20 because it is consistent with practice in the private sector, enables improvements to be completed  
21 in a more timely fashion, and often results in improvements being completed at lower cost than  
22 traditional methods; and

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24 WHEREAS, Section 177.14 of the Codified Ordinances of the County of Summit,  
25 entitled “Construction Contracts,” currently permits the use of general contractors and the  
26 procurement of separate prime contractors for County improvements, but does not currently  
27 permit the use of the construction management-at-risk method for the construction of County  
28 improvements, and only permits the design-build method to be used for certain County  
29 improvements undertaken by the County Engineer; and

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31 WHEREAS, the County Executive has proposed amending Section 177.14 to permit the  
32 use of construction management-at-risk and design build methods for the construction of County  
33 improvements, in addition to the use of general contractors; and

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35 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
36 that it is necessary and in the best interest of the County to amend Section 177.14 to permit the  
37 use of construction management-at-risk and design build methods for the construction of County  
38 improvements, in addition to the use of general contractors.

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40 NOW, THEREFORE, BE IT ORDAINED, by the Council of the County of Summit,  
41 State of Ohio, that:

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43 SECTION I

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45 Section 177.14 of the Codified Ordinances of the County of Summit, entitled  
46 “Construction Contracts,” is hereby amended as set forth on Exhibit A, attached hereto and  
47 incorporated herein by reference.  
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1 ORDINANCE NO. 2019-070

2 PAGE TWO

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4  
5 SECTION 2

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7 This Ordinance is hereby declared an emergency in the interest of the health, safety, and  
8 welfare of the residents of the County of Summit, and for the further reason that it will  
9 immediately allow for the use of alternative construction methods that are likely to result in  
10 County improvements being undertaken in a more timely fashion and at lower cost.

11  
12 SECTION 3

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

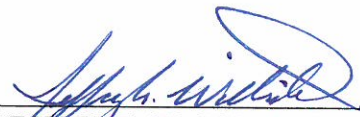
17  
18 SECTION 4

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20 It is found and determined that all formal actions of this Council concerning and relating  
21 to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all  
22 deliberations of this Council and of any of its committees that resulted in such formal action,  
23 were in meetings open to the public, in compliance with all legal requirements, including Section  
24 121.22 of the Ohio Revised Code.

25  
26 INTRODUCED February 11, 2019

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28 ADOPTED March 4, 2019

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31 CLERK OF COUNCIL

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34 PRESIDENT OF COUNCIL

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36 APPROVED March 5, 2019

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EXECUTIVE

ENACTED EFFECTIVE March 5, 2019

Voice Vote: YES - 11-0 Dickinson, Donofrio, Feeman, Hamilton,  
Koehler, McKenney, Prentice, Rodgers, Schmidt, Walters, Wilhite