

1 RESOLUTION NO. 2019-126

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE April 15, 2019 COMMITTEE Public Works

6  
7 **A Resolution declaring a break in the Pump Station #123 Force Main located in the City of**  
8 **Macedonia, in Council District 1, to be an emergency and confirming an award by the**  
9 **Board of Control of a purchase contract with Kenmore Construction Co., Inc. for an**  
10 **emergency repair to the Pump Station #123 Force Main, in an amount not to exceed**  
11 **\$87,449.65, for the Executive's Department of Sanitary Sewer Services, and declaring an**  
12 **emergency.**

13  
14 WHEREAS, due to a break in the Pump Station #123 Force Main located in the City of  
15 Macedonia, in Council District 1, it was necessary for the County to utilize Kenmore  
16 Construction Co., Inc. for an emergency repair of said force main; and

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

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22 WHEREAS, this Council hereby determines that the repair of the Pump Station #123  
23 Force Main by Kenmore Construction Co., Inc. to be an emergency repair pursuant to Section  
24 177.07(a)(3); and

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26 WHEREAS, the Board of Control, at its meeting held on March 27, 2019, awarded a  
27 purchase contract with Kenmore Construction Co., Inc. for an emergency repair to the Pump  
28 Station #123 Force Main, in the amount of \$87,449.65, subject to confirmation by County  
29 Council; and

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31 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
32 that the aforementioned repair constitutes an emergency repair under Section 177.07(a)(3) and  
33 further finds and determines that aforementioned purchase contract with Kenmore Construction  
34 Co., Inc. is necessary and in the best interest of the County of Summit;

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

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39 SECTION 1

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41 This Council finds and determines that the repair of the Pump Station #123 Force Main  
42 located in the City of Macedonia, in Council District 1, by Kenmore Construction Co., Inc. to be  
43 an emergency repair pursuant to Section 177.07(a)(3) of the Codified Ordinances of the County  
44 of Summit.

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46 SECTION 2

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48 The award by the Board of Control of a purchase contract with Kenmore Construction  
49 Co., Inc. for an emergency repair to the Pump Station #123 Force Main located in the City of  
50 Macedonia, in Council District 1, in an amount not to exceed \$87,449.65, is hereby confirmed  
51 and the County Executive is authorized to execute such purchase contract and any other  
52 necessary documents.

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2 PAGE TWO

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4 SECTION 3

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6 This Resolution is hereby declared an emergency in the interest of the health, safety, and  
7 welfare of the residents of the County of Summit, and for the further reason to immediately  
8 declare the repair to the Pump Station #123 Force Main to be an emergency pursuant to Section  
9 177.07(a)(3) and authorize a necessary purchase contract for said repair.

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11 SECTION 4

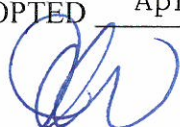
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13 Provided this Resolution receives the affirmative vote of eight members, it shall take  
14 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
15 effect and be in force at the earliest time provided by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

16  
17 SECTION 5

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

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26 INTRODUCED April 1, 2019

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28 ADOPTED April 15, 2019

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32 \_\_\_\_\_  
33 CLERK OF COUNCIL

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38 PRESIDENT OF COUNCIL

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40 APPROVED April 16, 2019

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44 EXECUTIVE

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46 ENACTED EFFECTIVE April 16, 2019

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