

1 RESOLUTION NO. 2013-036

First Reading Passage Request

2 H. Swindell

3 SPONSOR Mr. Pry

4
5 DATE January 28, 2013

COMMITTEE Public Works

6
7 **A Resolution authorizing the County Executive to execute a Local Public Agency**
8 **agreement with the State of Ohio, through the Department of Transportation, for the**
9 **improvement of Ghent Road and Cleveland Massillon Road, located in Bath Township,**
10 **Council Districts 4 and 5, at a cost not to exceed \$237,440.00, for the County Engineer, and**
11 **declaring an emergency.**

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13 WHEREAS, the public interest of the County of Summit requires the improvement of
14 Ghent Road from Sourek Road to Cleveland Massillon Road, and the improvement of Cleveland
15 Massillon Road from State Route 18 to Springside Drive, including the resurfacing of the
16 roadways, Project Identification ("PID") Number 92667, located in Bath Township, said
17 improvement being referenced herein as the "Project"; and

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19 WHEREAS, the Project's estimated cost for construction, construction engineering, and
20 inspection contingencies is \$1,037,440.00; and

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22 WHEREAS, the Federal Metropolitan Planning Organization's ("MPO") Surface
23 Transportation Program ("STP") funds have been awarded to the County of Summit Engineer's
24 office for a grant to cover the 80% of the Project's construction cost with a 20% local cash
25 match requirement; and

26
27 WHEREAS, the Ohio Department of Transportation ("ODOT") and the County of
28 Summit Engineer desire to enter into a Local Public Agency ("LPA") agreement, to confirm the
29 Project's construction cost and to designate the County of Summit as the lead agency for
30 administration of competitive bidding, construction and construction engineering of the Project;
31 and

32
33 WHEREAS, Sections 5501.03 (c) and 5543.01 of the Ohio Revised Code, as well as
34 Section 2.03 (5) of the County of Summit Charter allow execution of such agreements, subject to
35 the approval of County Council; and

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37 WHEREAS, the LPA Agreement will state ODOT shall provide to the LPA \$800,000.00
38 in eligible costs from MPO STP funds; and

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40 WHEREAS, no funds will be expended for the Project's construction until and unless
41 authorized by separate resolution; and

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43 WHEREAS, this Council finds and determines, after reviewing all pertinent information,
44 that authorizing the County Executive to execute the aforementioned LPA agreement with
45 ODOT is necessary and in the best interest of the County of Summit;

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47 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
48 of Ohio, that:
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4 SECTION 1

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6 The County Executive is hereby authorized to execute a Local Public Agency ("LPA")
7 agreement with the State of Ohio, through the Department of Transportation, for the
8 improvement of Ghent Road and Cleveland Massillon Road, PID No. 92667, located in Bath
9 Township, Council Districts 4 and 5.

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11 SECTION 2

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13 The terms of said agreement shall include the following:

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15 a. That the parties estimate the Project's cost to be \$1,037,440.00, with said cost
16 including construction engineering and inspection;
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18 b. That the LPA shall provide \$800,000.00 in Federal MPO STP funds with a local cash
19 match requirement of \$237,440.00 from the Motor Vehicle and Gas Tax fund;
20
21 c. That the County of Summit shall provide all other financial resources necessary to
22 fully complete the Project; and
23
24 d. That, upon receipt of federal authorization from ODOT, the County may commence
25 competitive bidding activities for Project construction, with award of contract subject
26 to applicable County of Summit Ordinances, said ordinances requiring authorization
27 of such an award by this Council.
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29 SECTION 3

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31 This Resolution is hereby declared an emergency in the interest of the health, safety and
32 welfare of the citizens of the County of Summit, and for the further reason that it completes a
33 prerequisite for a road improvement in Bath Township that is immediately needed for safe and
34 convenient travel within the County.
35

36 SECTION 4

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38 Provided this Resolution receives the affirmative vote of eight members, it shall take
39 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take
40 effect and be in force at the earliest time provided by law.
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42 SECTION 5

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44 It is found and determined that all formal actions of this Council concerning and relating
45 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
46 deliberations of this Council and of any of its committees that resulted in such formal action,
47 were in meetings open to the public, in compliance with all legal requirements, including Section
48 121.22 of the Ohio Revised Code.
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INTRODUCED January 28, 2013

ADOPTED January 28, 2013



CLERK OF COUNCIL



PRESIDENT OF COUNCIL

APPROVED January 29, 2013



EXECUTIVE

ENACTED EFFECTIVE January 29, 2013

Voice Vote:10-0. YES: Comunale, Crawford, Feeman, Kostandaras, Kurt, Lee
Rodgers, Roemer, Shapiro, Schmidt Absent: Prentice