

1 RESOLUTION NO. 2013-067

2  
3 SPONSOR Mr. Pry

4 DATE March 4, 2013

5 COMMITTEE Public Works

6  
7 **A Resolution authorizing the County Executive to enter into a Local Public Agency**  
8 **agreement with the State of Ohio, through the Department of Transportation, for**  
9 **improvement of the East North Street Bridge over the Little Cuyahoga River, located in**  
10 **the City of Akron, Council District 4, in an amount not to exceed \$609,768.00, for the**  
11 **Engineer, and declaring an emergency.**

12  
13 WHEREAS, County Council previously approved Resolution No. 2008-322, which  
14 authorized the County Executive to enter into a Local Public Agency agreement with the State of  
15 Ohio, through the Department of Transportation ("ODOT"), for improvement of the East North  
16 Street Bridge over the Little Cuyahoga River, Bridge No. AKR-010-0208, located in the City of  
17 Akron, Council District 4, in an amount not to exceed \$762,000.00 ("Project"); and

18  
19 WHEREAS, the County Engineer finds a public need for the replacement of the East  
20 North Street Bridge over the Little Cuyahoga River, Bridge No. AKR-010-0208, located in the  
21 City of Akron; and

22  
23 WHEREAS, the Project's estimated cost for construction, construction engineering and  
24 inspection ("Project's Construction Cost") is now \$1,649,650.00; and

25  
26 WHEREAS, the Project's estimated cost for right of way acquisition, design, advertising,  
27 bidding and contingencies is \$279,838.00, resulting in a revised total project cost of  
28 \$1,929,488.00; and

29  
30 WHEREAS, the Federal Highway Administration has committed \$1,319,720.00 towards  
31 the Project's construction cost; and

32  
33 WHEREAS, the County of Summit plans to provide the remaining Project funds, in an  
34 amount not to exceed \$609,768.00; and

35  
36 WHEREAS, ODOT and the County Engineer desire to enter into a new Local Public  
37 Agency agreement, to confirm the Project's construction cost and to designate the County of  
38 Summit as the lead agency for administration of competitive bidding, construction and  
39 construction engineering of the Project; and

40  
41 WHEREAS, Sections 5501.03(c) and 5543.01 of the Ohio Revised Code, as well as  
42 Article II, Section 2.03(5) of the County of Summit Charter allows the execution of such  
43 agreements, subject to the approval of County Council; and

44  
45 WHEREAS, said Local Public Agency agreement will cite the County of Summit's share  
46 of the Project's construction cost as \$329,930.00; and

47  
48 WHEREAS, no funds will be expended for the Project's construction until and unless  
49 authorized by separate resolution; and

50

3  
4 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
5 that authorizing the County Executive to enter into a Local Public Agency agreement with  
6 ODOT for the Project is necessary and in the best interest of the County of Summit;

7  
8 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
9 of Ohio, that:

10  
11 SECTION 1

12  
13 The County Executive is hereby authorized to enter into a Local Public Agency  
14 agreement with the State of Ohio, through the Department of Transportation, for the  
15 improvement of the East North Street Bridge over the Little Cuyahoga River, Bridge No. AKR-  
16 010-0208, located in the City of Akron, Council District 4 ("Project").

17  
18 SECTION 2

19  
20 The terms of the Local Public Agency agreement shall include the following:

- 21  
22 a. That the parties estimate the Project's construction cost to be \$1,649,650.00, with said  
23 cost including construction engineering and inspection;  
24  
25 b. That the parties estimate the Project's total cost to be \$1,929,488.00;  
26  
27 c. That the net estimated cost to the County of Summit shall not to exceed \$609,768.00;  
28  
29 d. That the County of Summit shall provide all other financial resources necessary to  
30 fully complete the Project; and  
31  
32 e. That, upon receipt of federal authorization from ODOT, the County of Summit may  
33 commence competitive bidding activities for Project construction, with award of  
34 contract subject to applicable Codified Ordinances of the County of Summit, said  
35 ordinances requiring authorization of such an award by this Council.  
36

37 SECTION 3

38  
39 This Resolution is hereby declared an emergency in the interest of the health, safety and  
40 welfare of the citizens of the County of Summit, and for the further reason that it immediately  
41 completes a prerequisite for the Project to proceed in a timely manner in 2013.  
42

43 SECTION 4

44  
45 Provided this Resolution receives the affirmative vote of eight members, it shall take  
46 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
47 effect and be in force at the earliest time provided by law.  
48

1 RESOLUTION NO. 2013-067

2 PAGE THREE

3  
4 SECTION 5

5  
6 It is found and determined that all formal actions of this Council concerning and relating  
7 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
8 deliberations of this Council and of any of its committees that resulted in such formal action,  
9 were in meetings open to the public, in compliance with all legal requirements, including Section  
10 121.22 of the Ohio Revised Code.

11  
12  
13 INTRODUCED February 11, 2013

14  
15 ADOPTED March 4, 2013

16  
17  
18   
19 CLERK OF COUNCIL

20   
PRESIDENT OF COUNCIL

21 APPROVED March 5, 2013

22  
23  
24   
25 EXECUTIVE

26  
27 ENACTED EFFECTIVE March 5, 2013

Voice Vote: 8-0: YES: Comunale, Crawford, Feeman, Kostandaras, Kurt, Rodgers  
Roemer, Schmidt. Absent: Lee, Prentice, Shapiro