

1 RESOLUTION NO. 2020-184

2  
3 SPONSOR Ms. Shapiro

4  
5 DATE June 29, 2020

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 **Guardrail Replacement Project and advertise for bids subject to the requirements of said**  
10 **agreement, for an estimated total project cost not to exceed \$300,000.00, for the Engineer,**  
11 **and declaring an emergency.**

12  
13 WHEREAS, the Guardrail Replacement Project, which calls for the upgrade or  
14 replacement of approximately 28,000 feet of guardrail along various county routes within  
15 Summit County, is necessary and said project has been identified by the County Engineer's  
16 Office as Project Identification Number 113504 (hereinafter referred to as the "Project"); and

17  
18 WHEREAS, the estimated total cost of the Project is \$300,000.00; and

19  
20 WHEREAS, the Federal County Engineers Association of Ohio has awarded funds to the  
21 County Engineer's office for a grant to cover up to 100% of the Project costs, in an amount not  
22 to exceed \$300,000.00, with the County Engineer's Office being responsible to provide the  
23 remaining funds over \$300,000.00, if necessary, for the Project costs; and

24  
25 WHEREAS, the State of Ohio, through the Ohio Department of Transportation  
26 ("ODOT"), and the County Engineer desire to enter into a Local Public Agency ("LPA")  
27 agreement, to confirm the Project's costs and to designate the County of Summit as the lead  
28 agency for administration of the Project; and

29  
30 WHEREAS, Sections 5501.03(c) and 5543.01 of the Ohio Revised Code, as well as  
31 Article II, Section 2.03(5) of the County of Summit Charter allow execution of such LPA  
32 agreements, subject to the approval of this Council; and

33  
34 WHEREAS, said LPA Agreement will provide (i) that the estimated cost of the Project is  
35 \$300,000.00, (ii) that ODOT shall provide to the County as the LPA up to 100% of eligible  
36 Project costs, in an amount not to exceed \$300,000.00 in Federal County Engineers Association  
37 of Ohio funds and (iii) that the County, as the LPA, will provide the remaining funds over  
38 \$300,000.00 if necessary to pay for the Project costs; and

39  
40 WHEREAS, this Council has determined, by reviewing all pertinent information, that it  
41 is necessary and in the best interest of the County of Summit to authorize the County Executive  
42 to execute the aforementioned LPA agreement with ODOT;

43  
44 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
45 of Ohio, that:

46  
47 SECTION 1

48  
49 The County Executive is hereby authorized to execute a Local Public Agency ("LPA")  
50 agreement with the State of Ohio, through the Department of Transportation ("ODOT"), for the  
51 Guardrail Replacement Project, Project Identification Number 113504 (the "Project"), a copy of

3  
4 SECTION 1 (Cont.)

5  
6 which is attached hereto as Exhibit A and incorporated fully herein, with such modifications and  
7 revisions as shall be in furtherance of the provisions of said LPA agreement and not substantially  
8 adverse to the County, all of which shall be conclusively evidenced by the execution thereof by  
9 the County Executive. Upon federal authorization from ODOT, the County may commence the  
10 administration of the Project, including the advertisement for bids for an estimated total cost not  
11 to exceed \$300,000.00, with the award of the Project subject to applicable Codified Ordinances  
12 of the County of Summit, said Ordinances requiring authorization of such an award by the Board  
13 of Control and/or County Council.

14  
15 SECTION 2

16  
17 This Resolution is hereby declared an emergency in the interest of the health, safety and  
18 welfare of the residents of the County of Summit, and for the further reason that it immediately  
19 completes a prerequisite to accept funds needed for the upgrade and replacement of guardrails  
20 for safe and convenient travel within the County.

21  
22 SECTION 3


23  
24 Provided this Resolution receives the affirmative vote of eight members, it shall take  
25 effect immediately upon its adoption and approval by the County Executive; otherwise, it shall  
26 take effect and be in force at the earliest time provided by law.

27  
28 SECTION 4

29  
30 It is found and determined that all formal actions of this Council concerning and relating  
31 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all  
32 deliberations of this Council and of any of its committees that resulted in such formal action,  
33 were in meetings open to the public, in compliance with all legal requirements, including Section  
34 121.22 of the Ohio Revised Code.

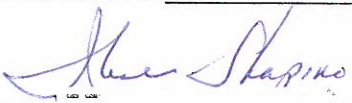
35  
36  
37 INTRODUCED June 15, 2020

38  
39 ADOPTED June 29, 2020

40  
41   
42 \_\_\_\_\_  
43 CLERK OF COUNCIL

44  
45   
46 \_\_\_\_\_  
47 PRESIDENT OF COUNCIL

48  
49 APPROVED June 30, 2020

50  
51   
52 \_\_\_\_\_  
53 EXECUTIVE

54  
55 June 30, 2020  
56 \_\_\_\_\_  
57 ENACTED EFFECTIVE

58  
59 Voice Vote - YES: 9-0 - Dickinson, Donofrio, Feeman, Koehler,  
60 McKenney, Rodgers, Schmidt, Sims, Wilhite  
61 ABSENT: Prentice, Walters