

1 RESOLUTION NO. 2022-112

2  
3 SPONSOR Executive Shapiro

4  
5 DATE April 25, 2022

COMMITTEE Public Works

6  
7 **A Resolution confirming the award by the Board of Control of Change Order No. 1 to a**  
8 **professional service contract with Burgess & Niple, Inc. for engineering design and**  
9 **surveying services for the Hines Hill Trunk Sewer Replacement Project Q-169, located in**  
10 **the Village of Boston Heights, in Council Districts 1 and 3, in an amount not to exceed**  
11 **\$176,400.00 (for a cumulative increase of 38.6%), for a total amount not to exceed**  
12 **\$633,651.00, for the Executive's Department of Sanitary Sewer Services, and declaring an**  
13 **emergency.**

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15 WHEREAS, the Hines Hill Trunk Sewer, which is located in the Village of Boston  
16 Heights, in Council Districts 1 and 3, was originally constructed in 1970 and as a result of  
17 development activities in the service area, there will be additional users of the current trunk  
18 sewer; and

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20 WHEREAS, the Executive's Department of Sanitary Sewer Services has determined that  
21 the aforementioned trunk sewer only has sufficient capacity to meet flows generated by existing  
22 users and a replacement is necessary; and

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24 WHEREAS, the Hines Hill Trunk Sewer Replacement Project Q-169 (the "Project") is  
25 intended to provide sufficient capacity to address current pipe/system conditions, as well as  
26 accommodate continued planned development in the service area; and

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28 WHEREAS, this Council previously adopted Resolution No. 2018-038, which confirmed  
29 the award by the Board of Control of a professional service contract with Burgess & Niple, Inc.  
30 for engineering design and surveying services for the Project, in an amount not to exceed  
31 \$457,251.00; and

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33 WHEREAS, the scope of the Project has been revised to reroute the trunk sewer through  
34 two pump stations and abandon the existing sewer through wetlands, resulting in additional costs  
35 to complete design services for the Project; and

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37 WHEREAS, the Board of Control, at its meeting held March 30, 2022, awarded Change  
38 Order No. 1 to the professional service contract with Burgess & Niple, Inc. for engineering  
39 design and surveying services for the Project, in an amount not to exceed \$176,400.00 (for a  
40 cumulative increase of 38.6%), for a total amount not to exceed \$633,651.00, subject to  
41 confirmation by this Council; and

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43 WHEREAS, this Council finds and determines, after reviewing all pertinent information,  
44 that Change Order No. 1 to the aforementioned professional service contract with Burgess &  
45 Niple, Inc. 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:

49  
50 SECTION 1

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52 The award by the Board of Control of Change Order No. 1 to a professional service

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2 PAGE TWO

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4 SECTION 1 (Continued)

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6 contract with Burgess & Niple, Inc. for engineering design and surveying services for the Hines  
7 Hill Trunk Sewer Replacement Project Q-169 (the "Project"), in the Village of Boston Heights,  
8 in Council Districts 1 and 3, in an amount not to exceed \$176,400.00 (for a cumulative increase  
9 of 38.6%), for a total amount not to exceed \$633,651.00, is hereby confirmed and the Executive  
10 is hereby authorized to execute said professional service contract and any other necessary related  
11 documents.

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13 SECTION 2

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15 This Resolution is hereby declared an emergency in the interest of the health, safety and  
16 welfare of the residents of Summit County, and for the further reason to immediately provide  
17 additional necessary engineering design and surveying services so the revised Project may  
18 commence as soon as possible.

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20 SECTION 3

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

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26 SECTION 4

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

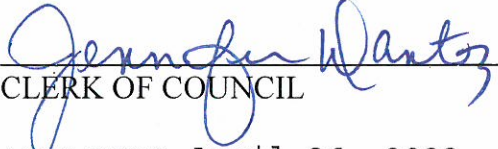
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34 INTRODUCED April 11, 2022

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36 ADOPTED April 25, 2022

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40 CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

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42 APPROVED April 26, 2022

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46 EXECUTIVE

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48 ENACTED EFFECTIVE April 28, 2022

Voice Vote - YES: 11-0: Darrow, DeVitis, Dickinson, Donofrio, Feeman, McKenney, Rodgers, Schmidt, Sims, Walters, Wilhite