

1 RESOLUTION NO. 2022-292

2  
3 SPONSOR Executive Shapiro

4  
5 DATE October 24, 2022

COMMITTEE Public Works

6  
7 **A Resolution confirming the award by the Board of Control of a construction contract with**  
8 **Kenmore Construction Co., Inc. for the Akron-Cleveland Road Resurfacing Project,**  
9 **located in Boston Township, in Council District 1, in an amount not to exceed**  
10 **\$1,452,027.17, for the Engineer, and declaring an emergency.**

11  
12 WHEREAS, the Engineer received \$700,000.00 in federal funds for the resurfacing of  
13 1.43 miles of Akron-Cleveland Road in Boston Township from the Boston Heights border to the  
14 Cuyahoga Falls border. This project will include pavement repairs, shoulder restoration,  
15 resurfacing, and new pavement markings; and

16  
17 WHEREAS, this Council previously adopted Resolution No. 2020-235, authorizing the  
18 Executive to enter into an intergovernmental agreement with the State of Ohio, through the  
19 Department of Transportation, concerning the repair and resurfacing of Akron-Cleveland Road;  
20 and

21  
22 WHEREAS, this Council subsequently adopted Resolution No. 2021-388, authorizing the  
23 Executive to advertise for bids for the Akron-Cleveland Road Resurfacing Project, for an  
24 estimated total cost not to exceed \$1,175,357.45; and

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26 WHEREAS, there were 5 bids submitted for this project and Kenmore Construction Co.,  
27 Inc. was the lowest bidder. Their bid was 23.54% over the engineer's estimate. However; due to  
28 similar cost issues occurring throughout 2022, the Engineer does not believe there will be any  
29 lowers bids if the project was rebid and as such he recommends awarding the contract to  
30 Kenmore Construction Co., Inc. to proceed with the Project; and

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32 WHEREAS, following the receipt and review of bids, the Executive has proposed  
33 entering into a construction contract with Kenmore Construction Co., Inc. for the Akron-  
34 Cleveland Road Resurfacing Project, located in Boston Township, in Council District 1, in an  
35 amount not to exceed \$1,452,027.17 and

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37 WHEREAS, the Board of Control, at its meeting held on September 14, 2022, awarded a  
38 construction contract with Kenmore Construction Co., Inc., as the lowest responsive and  
39 responsible bidder, for the Akron-Cleveland Road Resurfacing Project, located in Boston  
40 Township, in Council District 1, in an amount not to exceed \$1,452,027.17, 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 the aforementioned construction contract with Kenmore Construction Co., Inc. for the  
45 Akron-Cleveland Road Resurfacing Project is necessary and in the best interest of the County of  
46 Summit;

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48 NOW, THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State  
49 of Ohio, that:

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51

1 RESOLUTION NO. 2022-292

2 PAGE TWO

3  
4 SECTION 1

5  
6 The award by the Board of Control of construction contract with Kenmore Construction  
7 Co., Inc. for the for the Akron-Cleveland Road Resurfacing Project, located in Boston Township,  
8 in Council District 1, in an amount not to exceed \$1,452,027.17, is hereby confirmed and the  
9 Executive is hereby authorized to execute said construction contract and any other necessary  
10 related documents.

11  
12 SECTION 2

13  
14 This Resolution is hereby declared an emergency in the interest of the health, safety and  
15 welfare of the residents of the County of Summit, and for the further purpose to immediately  
16 authorize a necessary construction contract for the resurfacing of Akron-Cleveland Road.

17  
18 SECTION 3

19  
20 Provided this Resolution receives the affirmative vote of eight members, it shall take  
21 effect immediately upon its adoption and approval by the Executive; otherwise, it shall take  
22 effect and be in force at the earliest time provided by law.

23  
24 SECTION 4

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

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32  
33 INTRODUCED October 3, 2022

34  
35 ADOPTED October 24, 2022

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37   
38 CLERK OF COUNCIL

  
PRESIDENT OF COUNCIL

39  
40 APPROVED October 25, 2022

41  
42   
43 EXECUTIVE

44  
45 October 26, 2022

46 ENACTED EFFECTIVE

Voice Vote - YES: 9-0: Darrow, Dickinson, Donofrio, Rodgers,  
Schmidt, Sims, Walters, Wiedie Higham, Wilhite  
ABSENT: DeVitis, McKenney