

1 RESOLUTION NO. 2023-015

2
3 SPONSOR Executive Shapiro

4
5 DATE January 30, 2023

COMMITTEE: Public Works

6
7 **A Resolution authorizing the Executive to enter into a Local Public Agency agreement with**
8 **the State of Ohio, through the Department of Transportation, for the South Main Street**
9 **Bridge over Nimisila Creek Rehabilitation Project located in the City of New Franklin, in**
10 **Council District 7, for an estimated total cost of \$762,000.00, with the Department of**
11 **Transportation providing County Engineer's Association of Ohio Local Bridge Program**
12 **funds up to \$692,000.00 to cover up to 80% of the project costs, with the Engineer being**
13 **responsible for the matching funds, for the Engineer, and declaring an emergency.**

14
15 WHEREAS, the Engineer's applied for and received County Engineer's Association of
16 Ohio Local Bridge Program grant funding for the rehabilitation of the South Main Street Bridge
17 over Nimisila Creek (the "Project") located in the City of New Franklin, in Council District 7,
18 Project Identification Number 117468; and

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20 WHEREAS, the Engineer as an authorized Local Public Agency for the Ohio Department
21 of Transportation's Local Let Process will administrator the Project; and

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23 WHEREAS, the estimated total cost of the Project is \$762,000.00; and

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25 WHEREAS, federal funding programmed through the County Engineer's Association of
26 Ohio Local Bridge Program has been awarded to the Engineer for a grant to cover up to 80% of
27 the Project's costs, in an amount not to exceed \$692,00.00, with the Engineer being responsible
28 for the remaining costs of the Project; and

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30 WHEREAS, the State of Ohio, through the Ohio Department of Transportation
31 ("ODOT"), and the Executive and Engineer desire to enter into a Local Public Agency ("LPA")
32 agreement, to confirm the Project's costs and to designate the County of Summit as the lead
33 agency for administration of the Project; and

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

38
39 WHEREAS, said LPA Agreement will provide (i) that the estimated cost of the Project is
40 \$762,000.00, (ii) that ODOT shall provide to the County as the LPA up to 80% of eligible
41 Project costs, in an amount not to exceed \$692,000.00 in Federal High Administration funds and
42 (iii) that the County, as the LPA, will provide the remaining funds necessary to pay for the
43 Project costs; and

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

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

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1 RESOLUTION NO. 2023-015

2 PAGE TWO

3
4 SECTION 1

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6 The Executive is hereby authorized to execute a Local Public Agency (“LPA”) agreement
7 and any necessary related documents with the State of Ohio, through the Department of
8 Transportation (“ODOT”), for the rehabilitation of the South Main Street Bridge over Nimisila
9 Creek, Project Identification Number 117468 (the “Project”), a copy of which is attached hereto
10 as Exhibit A and incorporated fully herein, with such modifications and revisions as shall be in
11 furtherance of the provisions of said LPA agreement and not substantially adverse to the County,
12 all of which shall be conclusively evidenced by the execution thereof by the execution thereof by
13 the Executive. Upon federal authorization from ODOT, the County may commence the
14 administration of the Project, with the award of the Project subject to applicable Codified
15 Ordinances of the County of Summit, said Ordinances requiring authorization of such an award
16 by the Board of Control and/or this Council.

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18 SECTION 2

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20 This Resolution is hereby declared an emergency in the interest of the health, safety and
21 welfare of the residents of the County of Summit, and for the further reason that it immediately
22 completes a prerequisite to accept funds needed for a necessary bridge rehabilitation project in
23 Summit County.

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25 SECTION 3

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

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31 SECTION 4

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33 It is found and determined that all formal actions of this Council concerning and relating
34 to the adoption of this Resolution were adopted in an open meeting of this Council, and that all
35 deliberations of this Council and of any of its committees that resulted in such formal action,
36 were in meetings open to the public, in compliance with all legal requirements, including Section
37 121.22 of the Ohio Revised Code.

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40 INTRODUCED January 30, 2023

41 ADOPTED February 13, 2023

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44 *hansen mawh*
45 CLERK OF COUNCIL

Vernia Rogers
PRESIDENT OF COUNCIL

46
47 APPROVED February 13, 2023

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49
50 *Steve Shapiro*
51 EXECUTIVE

February 13, 2023
ENACTED EFFECTIVE

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

