

1 RESOLUTION NO. 2023-302

First Reading Passage Requested
(H. Swindell)

2
3 SPONSOR Executive Shapiro

4
5 DATE October 16, 2023 COMMITTEE Public Works

6
7 **A Resolution confirming the award by the Board of Control of a construction contract with**
8 **Cook Paving and Construction Co., Inc., for completion of the Wye Road Flood Mitigation**
9 **and Improvement Project – Phase 1A, located in Bath Township, in Council District 4, in**
10 **amount not to exceed \$183,332.50, for the Engineer, and declaring an emergency.**

11
12 WHEREAS, in 2019, MS Consultants, Inc. prepared the Wye Road Flood Mitigation &
13 Alternative Study (the “Study”), which was submitted to the Summit County Surface Water
14 Management District (the “Water District”) and the owner of land along Wye Road, located
15 south of Yellow Creek in Bath Township, in Council District 4; and

16
17 WHEREAS, the Study evaluated potential solutions to flooding and erosion concerns
18 reported by Bath Township to the Water District and in response to the Study, a plan of action
19 has been determined and engineering services are required; and

20
21 WHEREAS, this Council previously adopted Resolution No. 2021-367, which confirmed
22 the award of the Board of Control of a professional service contract with MS Consultants, Inc.
23 for engineering services for the design of the Wye Road Flood Mitigation and Improvement
24 Plans, located in Bath Township, in Council District 4; and

25
26 WHEREAS, the Wye Road Flood Mitigation and Improvement Project (the “Project”),
27 will be completed in two phases where Phase 1A will modify existing stormwater management
28 basins and install improved storm sewers and swales at two other locations in the Sanctuary of
29 Bath Estates and Phase 2 will add best practices, such as, step-pools, cascades, and riffles at four
30 locations along the stream in the ravine at the northern edge of the Sanctuary of Bath Estates;
31 and

32
33 WHEREAS, federal funds through the Ohio Environmental Protection Agency will pay
34 90% (\$164,999.25) of the Phase 1A costs plus administrative fees with the local share being paid
35 out of the Bath Surface Water District; and

36
37 WHEREAS, for Phase 1A, six bid packages were distributed with three bids being
38 received and the Executive selected the bid by Cook Paving and Construction Co., Inc. as the
39 lowest responsive and responsible bid; and

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41 WHEREAS, the Board of Control, at its meeting held on October 11, 2023, awarded a
42 construction contract with Cook Paving and Construction Co., Inc., as the lowest responsive and
43 responsible bid, for completion of the Wye Road Flood Mitigation and Improvement Project –
44 Phase 1A, located in Bath Township, in Council District 4, in amount not to exceed \$183,332.50,
45 subject to confirmation by this Council; and

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47 WHEREAS, this Council finds and determines, after reviewing all pertinent information
48 that the aforementioned construction contract with Cook Paving and Construction Co., Inc. is
49 necessary and in the best interest of the County of Summit;

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51 NOW THEREFORE, BE IT RESOLVED by the Council of the County of Summit, State
52 of Ohio, that:
53

1 RESOLUTION NO. 2023-302

2 PAGE TWO

3

4 SECTION 1

5

6 The award by the Board of Control of a construction contract with Cook Paving and
7 Construction Co., Inc. for completion of the Wye Road Flood Mitigation and Improvement
8 Project – Phase 1A, located in Bath Township, in Council District 4, in amount not to exceed
9 \$183,332.50, is hereby confirmed, and the Executive is hereby authorized to execute said
10 construction contract and any other necessary related documents.

11

12 SECTION 2

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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 reason to immediately
16 provide for necessary engineering work to address flooding and erosion of Wye Road in Bath
17 Township.

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19 SECTION 3

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

24

25 SECTION 4

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

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34 INTRODUCED October 16, 2023

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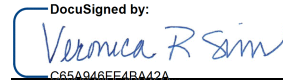
36 ADOPTED October 16, 2023

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38 DocuSigned by:

39 487AE1C02A594A7...

40 CLERK OF COUNCIL

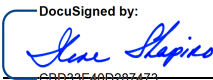
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PRESIDENT OF COUNCIL

41

42 APPROVED October 16, 2023

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44 DocuSigned by:

45 CDD93E49D267473...

46 EXECUTIVE

47

48 ENACTED EFFECTIVE October 17, 2023

Voice Vote – YES: 10 – 0: Darrow, DeVitis, Dickinson, McKenney, Rodgers, Schmidt, Sims, Walters,
Wiedie Higham, Wilhite
Absent: Donofrio