



AGENDA
CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE
MEETING
WEDNESDAY, APRIL 17, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM

- 1. CALL TO ORDER**
- 2. ROLL CALL**
- 3. PUBLIC COMMENT RELATED TO THE AGENDA**
- 4. APPROVAL OF MINUTES FROM THE APRIL 3, 2013 MEETING**
- 5. MATTERS REFERRED TO COMMITTEE**
 - a) R2013-0068: A Resolution authorizing the appropriation of real property in connection with right-of-way plans as set forth in Plat No. M-5010 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/ Chagrin Boulevard/Northfield Road Intersection in the City of Shaker Heights and Village of Highland Hills; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective.
 - b) R2013-0069: A Resolution making an award on RQ26428 to Perk Company, Inc. in the amount not-to-exceed \$8,309,354.00 for reconstruction of Ridge Road from Interstate 480 to Memphis Avenue in the City of Brooklyn; authorizing the County Executive to execute the contract and all other documents consistent with said award and this

Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$1,661,870.00 to fund said contract; and declaring the necessity that this Resolution become immediately effective.

- c) R2013-0070: A Resolution making an award on RQ26211 to Terrace Construction Company, Inc. in the amount not-to-exceed \$973,816.38 for the Bridge Sidewalk Replacement Program – East Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds for said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective:

- 1) Chagrin River Road Bridge No. 02.40 over Sulphur Springs Creek in the Village of Bentleyville.
- 2) Pleasant Valley Road Bridge No. 09.68 over the Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View.
- 3) Rockside Road Bridge No. 03.23 over CSXT Railroad and Access Road in the City of Independence.
- 4) Rockside Road Bridge No. 03.32 over the Cuyahoga River in the City of Independence and Village of Valley View.
- 5) Rockside Road Bridge No. 04.80 over former P&LE Railroad right-of way in the Village of Valley View.

- d) R2013-0071: A Resolution making an award on RQ26213 to Terrace Construction Company, Inc. in the amount not-to-exceed \$953,389.50 for the Bridge Sidewalk Replacement Program – West Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds for said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective:

- 1) Bagley Road Bridge No. 05.63 over the East Branch of the Rocky River in the City of Berea.
- 2) Hilliard Road Bridge No. 03.21 over Cahoon Creek in the City of Westlake.
- 3) Hilliard Road Bridge No. 08.57 over the Rocky River, Cleveland MetroParks and Valley Parkway in the Cities of Lakewood and Rocky River.

- e) R2013-0072: A Resolution declaring that public convenience and welfare requires replacement of Sprague Road Culvert No. 47 in the Cities of Broadview Heights and Seven Hills; total estimated construction cost \$170,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into agreements of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.

6. MISCELLANEOUS BUSINESS

7. OTHER PUBLIC COMMENT

8. ADJOURNMENT

*In accordance with Ordinance No. O2011-0020, as amended, complimentary parking in the Huntington Park Garage will be available for the public on any day when the Council or any of its committees holds meetings. Please see the Clerk to obtain a parking pass.



MINUTES

CUYAHOGA COUNTY PUBLIC WORKS, PROCUREMENT & CONTRACTING COMMITTEE MEETING

**WEDNESDAY, APRIL 3, 2013
CUYAHOGA COUNTY JUSTICE CENTER
COUNCIL CHAMBERS – 1ST FLOOR
11:00 AM**

1. CALL TO ORDER

Chairman Jones called the meeting to order at 11:08 a.m.

2. ROLL CALL

Mr. Jones asked Assistant Deputy Clerk Carter to call the roll. Committee members Jones, Germana, Conwell and Miller were in attendance and a quorum was determined. Committee member Simon was absent from the meeting.

3. PUBLIC COMMENT RELATED TO THE AGENDA

No public comments were given.

4. APPROVAL OF MINUTES FROM THE MARCH 20, 2013 MEETING

A motion was made by Mr. Miller, seconded by Mr. Germana and approved by unanimous vote to approve the minutes of the March 20, 2013 meeting.

5. MATTERS REFERRED TO COMMITTEE

- a) R2013-0059: A Resolution approving Right-of-Way plans as set forth in Plat No. M-5012 for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township; authorizing the County Executive through the Department of Public Works to acquire said necessary Rights-of-Way; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said

improvement; and declaring the necessity that this Resolution become immediately effective.

Mr. Fred Whatley, Land Deputy/Environmental Administrator; Mr. Jamal Husani, Chief Transportation/Traffic Engineer; and Ms. Bonnie Teeuwen, Director of the Department of Public Works, addressed the Committee regarding Resolution No. R2013-0059. Discussion ensued.

Committee members asked questions of Mr. Whatley, Mr. Husani and Ms. Teeuwen pertaining to the item, which they answered accordingly.

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2013-0059 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- b) R2013-0060: A Resolution making an award on RQ23624 to Burgess & Niple, Inc. in the amount not-to-exceed \$1,448,424.00 for engineering services for replacement of various Rockside Road Bridges in the City of Independence; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective:

- 1) No. 03.23 over the CSXT Railroad
- 2) No. 03.32 over the Cuyahoga River

Ms. Teeuwen addressed the Committee regarding Resolution No. R2013-0060. Discussion ensued.

Committee members asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0060 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- c) R2013-0061: A Resolution making an award on RQ25941 to Suburban Maintenance and Construction, Inc. in the amount not-to-exceed \$969,000.00 for the Huntington Park Garage emergency repairs project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen addressed the Committee regarding Resolution No. R2013-0061. Discussion ensued.

Committee members asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2013-0061 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

Committee member Conwell requested to have her named as an additional co-sponsor to the legislation.

- d) R2013-0062: A Resolution declaring that public convenience and welfare requires resurfacing of Chagrin Boulevard from Lander Road to South Lane in the City of Pepper Pike and Village of Moreland Hills; total estimated construction cost \$3,000,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen addressed the Committee regarding Resolution No. R2013-0062. Discussion ensued.

Committee members asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.

On a motion by Mr. Jones with a second by Mr. Germana, Resolution No. R2013-0062 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- e) R2013-0063: A Resolution declaring that public convenience and welfare requires resurfacing of Miner Road from Wilson Mills Road to Highland Heights North Corporation Line in the City of Highland Heights; total estimated construction cost \$1,753,490.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into an agreement of cooperation with said municipality in connection with said project; and declaring the necessity that this Resolution become immediately effective.

Ms. Teeuwen addressed the Committee regarding Resolution No. R2013-0063. Discussion ensued.

Committee members asked questions of Ms. Teeuwen pertaining to the item, which she answered accordingly.

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2013-0063 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules.

- f) R2013-0065: A Resolution accepting the final Plat and dedicating Hidden Brook Lane and Grand Oaks Trail as public streets in Grand Oaks Subdivision, located in Olmsted Township; authorizing the County Executive to execute said Plat; and declaring the necessity that this Resolution become immediately effective.

Mr. Jones introduced a proposed substitute to Resolution No. R2013-0065. Discussion ensued.

A motion was made by Mr. Jones, seconded by Mr. Germana and approved by unanimous vote to accept the proposed substitute.

Ms. Teeuwen; Ms. Kristin Hopkins, Principal Planner; and Ms. Anka Davis, Assistant Law Director, addressed the Committee regarding Resolution No. R2013-0065. Discussion ensued.

Committee members asked questions of Ms. Teeuwen, Ms. Hopkins and Ms. Davis, pertaining to the item, which they answered accordingly.

On a motion by Mr. Jones with a second by Mr. Miller, Resolution No. R2013-0065 was considered and approved by unanimous vote to be referred to the full Council agenda with a recommendation for passage under second reading suspension of the rules, as substituted.

6. MISCELLANEOUS BUSINESS

There was no miscellaneous business.

7. OTHER PUBLIC COMMENT

No public comments were given.

8. ADJOURNMENT

With no further business to discuss and on a motion by Mr. Miller with a second by Mr. Jones, the meeting was adjourned at 12:25 p.m., without objection.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0068

<p>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</p>	<p>A Resolution authorizing the appropriation of real property in connection with right-of-way plans as set forth in Plat No. M-5010 for reconfiguration of the Warrensville Center Road/Van Aken Boulevard/ Chagrin Boulevard/Northfield Road Intersection in the City of Shaker Heights and Village of Highland Hills; directing the County Executive to proceed with the acquisition of real property required for public highway purposes; authorizing the Fiscal Officer to issue the monetary warrant to be deposited with the Probate Court of Cuyahoga County in an amount that is equal to the fair market value of the property; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, on September 27, 2011, County Council adopted Resolution R2011-0275, which authorized the County Executive to acquire the necessary Right-of-Way to proceed with the reconfiguration of the Warrensville Center Road/Van Aken Boulevard/Chagrin Boulevard/Northfield Road intersection in the City of Shaker Heights and the Village of Highland Heights; and,

WHEREAS, upon receiving the necessary authorization to proceed with acquisition of Right-of-Way, a fair market value analysis was conducted; and,

WHEREAS, the County's agent, O.R. Colan Associates, together with the County and City of Shaker Heights, has endeavored to acquire the necessary parcels through voluntary negotiation and settlement efforts with the property owner, but equitable settlement agreements could not be reached on the property set forth below; and,

WHEREAS, the Department of Public Works has requested that the County appropriate certain property rights required for highway purposes for the above described improvement, identified as the following parcels of land:

Parcel No(s): 5-WD, warranty deed and T, temporary easement
Owner(s): Village of Highland Hills and Municipal Financial Group, Inc.
Approved Appraisal (Fair Market Value Estimated): \$39,250.00; and,

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue and to provide for the usual, daily operation of a County entity.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That certain real property as required for the reconfiguration of the Warrensville Center Road/Van Aken Boulevard/ Chagrin Boulevard/Northfield Road Intersection in the City of Shaker Heights and Village of Highland Hill, as described below be, and the same is, hereby declared necessary to appropriate for public use, more specifically for the purpose of making or repairing roads which shall be open to the public, without charge. Such property is described as follows:

Parcel No(s): 5-WD, warranty deed and T, temporary easement
Owner(s): Village of Highland Hills and Municipal Financial Group, Inc.
Approved Appraisal (Fair Market Value Estimated): \$39,250.00.

SECTION 2. That the County Executive, through the Department of Public Works, be, and is, hereby directed to proceed with filing the necessary action to acquire the property as described above.

SECTION 3. That the County Fiscal Officer be, and is, hereby authorized to issue the monetary warrant in the amount of the Fair Market Value Estimates listed above, made payable to the Cuyahoga County Probate Court, said warrant to be deposited with the Probate Court at the time of filing the petitions to appropriate.

SECTION 4. That the Clerk of Council his hereby directed to transmit copies of this Resolution upon its approval by the County Executive to Bonita Teeuwen, P.E., Director of Public Works and to Wade Steen, County Fiscal Officer.

SECTION 5. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 6. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0069

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution making an award on RQ26428 to Perk Company, Inc. in the amount not-to-exceed \$8,309,354.00 for reconstruction of Ridge Road from Interstate 480 to Memphis Avenue in the City of Brooklyn; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$5.00 License Tax Funds in the amount of \$1,661,870.00 to fund said contract; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended an award RQ26428 to Perk Company, Inc. in the amount not-to-exceed \$8,309,354.00 for reconstruction of Ridge Road from Interstate 480 to Memphis Avenue in the City of Brooklyn; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure; and

WHEREAS, the funding for this project is as follows: (a) 80% from Federal Funds, and (b) 20% or \$1,661,870.00 from the County Motor Vehicle \$5.00 License Tax Fund to pay the County's share of the cost for this project; and

WHEREAS, construction for this project is scheduled to begin in July of 2013 and will be completed in June of 2016; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ26428 to Perk Company, Inc. in the amount not-to-exceed \$8,309,354.00 for reconstruction of Ridge Road from Interstate 480 to Memphis Avenue in the City of Brooklyn.

First Reading/Referred to Committee: April 9, 2013
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0070

<p>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</p>	<p>A Resolution making an award on RQ26211 to Terrace Construction Company, Inc. in the amount not-to-exceed \$973,816.38 for the Bridge Sidewalk Replacement Program – East Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds for said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended an award on RQ26211 to Terrace Construction Company, Inc. in the amount not-to-exceed \$973,816.38 for the Bridge Sidewalk Replacement Program – East Project which includes the following bridges:

- 1) Chagrin River Road Bridge No. 02.40 over Sulphur Springs Creek in the Village of Bentleyville;
- 2) Pleasant Valley Road Bridge No. 09.68 over the Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View;
- 3) Rockside Road Bridge No. 03.23 over CSXT Railroad and Access Road in the City of Independence;
- 4) Rockside Road Bridge No. 03.32 over the Cuyahoga River in the City of Independence and Village of Valley View;
- 5) Rockside Road Bridge No. 04.80 over former P&LE Railroad right-of way in the Village of Valley View; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure; and

WHEREAS, this project is scheduled to begin June 1, 2013 and will be completed on December 1, 2013; and

WHEREAS, this project will be funded 100% from the County Motor Vehicle \$7.50 License Tax Fund; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ26211 to Terrace Construction Company, Inc. in the amount not-to-exceed \$973,816.38 for the Bridge Sidewalk Replacement Program – East Project which includes the following bridges:

- 1) Chagrin River Road Bridge No. 02.40 over Sulphur Springs Creek in the Village of Bentleyville,
- 2) Pleasant Valley Road Bridge No. 09.68 over the Cuyahoga River, Canal Road and Ohio Canal in the City of Independence and Village of Valley View,
- 3) Rockside Road Bridge No. 03.23 over CSXT Railroad and Access Road in the City of Independence,
- 4) Rockside Road Bridge No. 03.32 over the Cuyahoga River in the City of Independence and Village of Valley View, and
- 5) Rockside Road Bridge No. 04.80 over former P&LE Railroad right-of way in the Village of Valley View.

SECTION 2. That the County Executive is authorized to execute a contract in connection with said award and all documents consistent with this Resolution.

SECTION 3. That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make an application for the allocation from the County Motor Vehicle \$7.50 License Tax Fund in the amount \$973,816.38 to fund the contract.

SECTION 4. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 5. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0071

<p>Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer</p>	<p>A Resolution making an award on RQ26213 to Terrace Construction Company, Inc. in the amount not-to-exceed \$953,389.50 for the Bridge Sidewalk Replacement Program – West Project; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution; authorizing the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds for said amount to fund said contract; and declaring the necessity that this Resolution become immediately effective.</p>
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WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended an award on RQ26213 to Terrace Construction Company, Inc. in the amount not-to-exceed \$953,389.50 for the Bridge Sidewalk Replacement Program – West Project which includes the following bridges:

- 1) Bagley Road Bridge No. 05.63 over the East Branch of the Rocky River in the City of Berea;
- 2) Hilliard Road Bridge No. 03.21 over Cahoon Creek in the City of Westlake;
- 3) Hilliard Road Bridge No. 08.57 over the Rocky River, Cleveland MetroParks and Valley Parkway in the Cities of Lakewood and Rocky River; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure; and

WHEREAS, this project is scheduled to begin June 1, 2013 and will be completed on December 1, 2013; and

WHEREAS, this project will be funded 100% from the County Motor Vehicle \$7.50 License Tax Fund; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby makes an award on RQ26213 to Terrace Construction Company, Inc. in the amount not-to-exceed \$953,389.50 for the Bridge Sidewalk Replacement Program – West Project, which includes the following bridges:

- 1) Bagley Road Bridge No. 05.63 over the East Branch of the Rocky River in the City of Berea,
- 2) Hilliard Road Bridge No. 03.21 over Cahoon Creek in the City of Westlake, and
- 3) Hilliard Road Bridge No. 08.57 over the Rocky River, Cleveland MetroParks and Valley Parkway in the Cities of Lakewood and Rocky River.

SECTION 2. That the County Executive is authorized to execute a contract in connection with said award and all documents consistent with this Resolution.

SECTION 3. That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make an application for the allocation from the County Motor Vehicle \$7.50 License Tax Fund in the amount \$973,816.38 to fund the contract.

SECTION 4. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 5. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President _____
Date

County Executive _____
Date

Clerk of Council _____
Date

First Reading/Referred to Committee: April 9, 2013
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 20__

County Council of Cuyahoga County, Ohio

Resolution No. R2013-0072

Sponsored by: County Executive FitzGerald/Department of Public Works/Division of County Engineer	A Resolution declaring that public convenience and welfare requires replacement of Sprague Road Culvert No. 47 in the Cities of Broadview Heights and Seven Hills; total estimated construction cost \$170,000.00; finding that special assessments will neither be levied nor collected to pay for any part of the County's costs of said improvement; authorizing the County Executive to enter into agreements of cooperation with said municipalities in connection with said project; and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the County Executive FitzGerald/Department of Public Works/Division of County Engineer has recommended that public convenience and welfare requires replacement of Sprague Road Culvert No. 47 in the Cities of Broadview Heights and Seven Hills; and

WHEREAS, the anticipated construction cost for this improvement is \$170,000.00; and

WHEREAS, that special assessments are not to be levied nor collected to pay for any part of the County's costs of this improvement; and

WHEREAS, this project will be funded as follows: (a) \$15,000.00 from the County Road and Bridge Fund; (b) \$35,000.00 will be paid by the City of Broadview Heights; (c) \$35,000.00 will be paid by the City of Seven Hills; and (d) \$85,000.00 will be paid from Issue 1 Funds; and

WHEREAS, the primary goal of this project is to properly maintain the County's infrastructure for which the County is responsible; and

WHEREAS, this project is located at Sprague Road Culvert No. 47 in the Cities of Broadview Heights and Seven Hills, Council Districts 4 and 6; and

WHEREAS, the anticipated start date for construction of this project is 2013; and

WHEREAS, it is necessary that this Resolution become immediately effective in order that critical services provided by Cuyahoga County can continue.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF CUYAHOGA COUNTY, OHIO:

SECTION 1. That the Cuyahoga County Council hereby declares that public convenience and welfare requires requires replacement of Sprague Road Culvert No. 47 in the Cities of Broadview Heights and Seven Hills.

SECTION 2. That special assessments are not to be levied nor collected to pay for any part of the County's cost of this improvement.

SECTION 3. That the County Executive is hereby authorized to enter into and execute any and all necessary agreements of cooperation and any other documents with the Cities of Broadview Heights and Seven Hills in connection with this project.

SECTION 4. It is necessary that this Resolution become immediately effective for the usual daily operation of the County and the reasons set forth in the preamble. Provided that this Resolution receives the affirmative vote of at least eight members of Council, it shall take effect and be in force immediately upon the earliest occurrence of any of the following: (1) its approval by the County Executive through signature, (2) the expiration of the time during which it may be disapproved by the County Executive under Section 3.10(6) of the Cuyahoga County Charter, or (3) its passage by at least eight members of Council after disapproval pursuant to Section 3.10(7) of the Cuyahoga County Charter. Otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

SECTION 5. It is found and determined that all formal actions of this Council relating to the adoption of this Resolution were adopted in an open meeting of the Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

On a motion by _____, seconded by _____, the foregoing Resolution was duly adopted.

Yeas:

Nays:

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: April 9, 2013
Committee(s) Assigned: Public Works, Procurement & Contracting

Journal _____
_____, 20__