

County Council of Cuyahoga County, Ohio

Resolution No. R2011-0143

Sponsored by: County Executive FitzGerald/Department of Public Works/County Engineer and Councilmember Gallagher	A Resolution authorizing the County Executive to enter into an amendment to a Local Public Agency (LPA) Agreement with Ohio Department of Transportation for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township to change the funding arrangement and scope of services, effective 4/12/2011, and declaring the necessity that this Resolution become immediately effective.
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WHEREAS, the Department of Public Works/County Engineer has submitted a request to amend a Local Public Agency (LPA) agreement between Cuyahoga County and the Ohio Department of Transportation for reimbursement of preliminary engineering services for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township changing the funding and scope of that agreement, effective 4/12/2011; and

WHEREAS, the original LPA agreement was approved by the Board of County Commissioners on September 6, 2007, Resolution No. 073705, and the requested amendment corresponds with simultaneously introduced legislation requesting authorization to amend a contract with TranSystems Corporation of Ohio for engineering services rendered on the Sterns Road project; and

WHEREAS, the original LPA agreement for this project included scope and fee for “Step 1 through Step 4, Prepare Environmental Clearance and Stage 1 Design,” as the first phase; and

WHEREAS, the first phase environmental clearance has now been completed and the project needs to proceed into the second phase which includes the detailed design with the consultant; and

WHEREAS, this amendment will allow for completion of the design of the project including final roadway and bridge plans, right of way acquisition and construction support; and

WHEREAS, it is necessary that this Resolution become immediately effective because the project involves the utilization of federal funds and the project schedule must be maintained in accordance with funding deadlines. The schedule for phase 2 of this project is time critical as it includes detailed design and right of way acquisition.

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

SECTION 1. That the County Council hereby authorizes the County Executive/Department of Public Works to amend the agreement with Ohio Department of Transportation for reimbursement of preliminary engineering services for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township to change the funding and scope, effective 4/12/2011.

SECTION 2. It is necessary that this Resolution become immediately effective as the project involves the utilization of federal funds and the schedule must be maintained in accordance with funding deadlines. The schedule for phase 2 of this project is time critical as it includes detailed design and right of way acquisition. Provided that this Resolution receive the affirmative vote of eight members of Council, this Resolution shall become immediately effective upon the signature of the County Executive.

SECTION 3. 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 Ms. Conwell, seconded by Mr. Rogers, the foregoing Resolution was duly adopted.

Yeas: Simon, Greenspan, Miller, Brady, Germana, Gallagher, Schron, Conwell, Jones, Connally and Rogers

Nays: None

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County Council President	Date

_____	_____
County Executive	Date

_____	_____
Clerk of Council	Date

First Reading/Referred to Committee: April 12, 2011
 Committee Assigned: Public Works, Procurement & Contracting