

County Council of Cuyahoga County, Ohio

Resolution No. R2015-0068

<p>Sponsored by: County Executive Budish/Department of Public Works/Division of County Engineer</p> <p>Co-sponsored by: Councilmember Gallagher</p>	<p>A Resolution making an award on RQ33138 to DiGioia-Suburban Excavating, LLC in the amount not-to-exceed \$8,209,055.10 for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township; 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 \$1,641,811.02 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 making an award on RQ33138 to DiGioia-Suburban Excavating, LLC in the amount not-to-exceed \$8,209,055.10 for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township; 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 \$1,641,811.02 to fund said contract; and

WHEREAS, the primary goals of the project are construction of a grade separation of Stearns Road over the Norfolk Southern Railroad tracks on a new alignment including reconstruction and widening of Stearns Road from Bagley Road to 0.14 miles south of Cook Road in Olmsted Township, Council District 5; and to properly maintain the County's infrastructure; and

WHEREAS, the funding for this project is as follows: (a) 80% or \$6,567,244.08 with federal funds and (b) 20% or \$1,641,811.02 using funds from the Cuyahoga County Motor Vehicle \$5.00 License Tax Funds; and

WHEREAS, construction is scheduled to begin June 1, 2015 and scheduled to be completed June 1, 2017; 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 the Cuyahoga County Council hereby makes an award on RQ33138 to DiGioia-Suburban Excavating, LLC in the amount not-to-exceed \$8,209,055.10 for the grade separation of Stearns Road at the Norfolk Southern Railroad in Olmsted Township; authorizing the County Executive to execute the contract and all other documents consistent with said award and this Resolution.

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 application for the allocation from the County Motor Vehicle \$5.00 License Tax Fund in the amount of \$1,641,811.02 to pay the County's share of the cost for the project.

SECTION 4. It is necessary that this Resolution become immediately effective for the usual daily operation of the County; the preservation of public peace, health, or safety in the County; and any additional 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 Mr. Germana, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Simon, Greenspan, Miller, Germana, Jones, Brown, Hairston and Brady

Nays: None

County Council President

Date

County Executive

Date

Clerk of Council

Date

First Reading/Referred to Committee: April 14, 2015

Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: April 14, 2015

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