

# County Council of Cuyahoga County, Ohio

## Resolution No. R2016-0239

<p>Sponsored by: <b>County Executive Budish/Department of Public Works/Division of County Engineer</b></p> <p>Co-sponsored by: <b>Councilmembers Germana, Miller and Conwell</b></p>	<p><b>A Resolution</b> making an award on RQ36917 to Mark Haynes Construction, Inc. in the amount not-to-exceed \$13,457,744.18 for construction of the Towpath Trail – Stage 3 from Steelyard Commons to Literary Road in the City of Cleveland; 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; 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 RQ36917 to Mark Haynes Construction, Inc. in the amount not-to-exceed \$13,457,744.18 for construction of the Towpath Trail – Stage 3 from Steelyard Commons to Literary Road in the City of Cleveland; and

WHEREAS, the primary purpose of this project is to complete construction as per plans and specifications; and

WHEREAS, the funding for this project is as follows: a) 68% or \$9,151,266.04 from Local Project Administration Federal Funds; b) 30% or \$4,037,323.25 from City of Cleveland; and c) 2% or \$269,154.89 using Funds from the County Motor Vehicle \$5.00 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 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 RQ36917 to Mark Haynes Construction, Inc. in the amount not-to-exceed

\$13,457,744.18 for construction of the Towpath Trail – Stage 3 from Steelyard Commons to Literary Road in the City of Cleveland.

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

**SECTION 3.** That the County Council hereby authorizes the County Engineer, on behalf of the County Executive, to make application for allocation from County Motor Vehicle \$5.00 License Tax Funds to partially fund said contract.

**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. Miller, seconded by Mr. Brady, the foregoing Resolution was duly adopted.

Yeas: Miller, Tuma, Gallagher, Schron, Conwell, Jones, Brown, Hairston, Simon, Baker and Brady

Nays: None

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County Council President

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Date

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County Executive

\_\_\_\_\_  
Date

\_\_\_\_\_  
Deputy Clerk of Council

\_\_\_\_\_  
Date

First Reading/Referred to Committee: December 13, 2016  
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested: December 21, 2016

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