

# County Council of Cuyahoga County, Ohio

## Resolution No. R2019-0067

Sponsored by: **County Executive Budish/Department of Public Works/Division of County Engineer**

Co-sponsored by: **Councilmember Gallagher**

**A Resolution** authorizing an amendment to Contract No. CE1800293-01 with DiGioia-Suburban Excavating, LLC for reconstruction and widening of Royalton Road from West 130<sup>th</sup> Street to York Road in the City of North Royalton for additional funds in the amount not-to-exceed \$722,431.05; authorizing the County Executive to execute the amendment and all other documents consistent with 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 in the amount not-to-exceed \$10,000.00 to fund a portion of said contract; and declaring the necessity that this Resolution become immediately effective.

WHEREAS, the County Executive/Department of Public Works/Division of County Engineer has recommended an amendment to Contract No. CE1800293-01 with DiGioia-Suburban Excavating, LLC for reconstruction and widening of Royalton Road from West 130<sup>th</sup> Street to York Road in the City of North Royalton for additional funds in the amount not-to-exceed \$722,431.05 and to authorize the County Engineer, on behalf of the County Executive, to make an application for allocation from County Motor Vehicle \$7.50 License Tax Funds in the amount not-to-exceed \$10,000.00 to fund a portion of said contract; and

WHEREAS, the primary goal for this amendment is to remove an underground structure conflicting with the new sewer in the City of North Royalton, located in Council District 5; and

WHEREAS, the project is funded as follows: (a) \$712,431.05 from City of North Royalton and (b) \$10,000.00 from 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 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 authorizes an amendment to Contract No. CE1800293-01 with DiGioia-Suburban Excavating, LLC for reconstruction and widening of Royalton Road from West 130<sup>th</sup> Street to York Road in the City of North Royalton for additional funds in the amount not-to-exceed \$722,431.05.

**SECTION 2.** That the County Executive is authorized to execute the amendment and all other 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 allocation from County Motor Vehicle \$7.50 License Tax Funds in the amount not-to-exceed \$10,000.00 to fund a portion of 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. Tuma, seconded by Mr. Miller, the foregoing Resolution was duly adopted.

Yeas: Simon, Miller, Tuma, Gallagher, Schron, Jones, Brown, Stephens and Brady

Nays: None

David Brady 3-29-19  
County Council President / Date

[Signature] 3-29-19  
County Executive / Date

[Signature] 3/26/2019  
Clerk of Council / Date

First Reading/Referred to Committee: March 12, 2019  
Committee(s) Assigned: Public Works, Procurement & Contracting

Additional Sponsorship Requested on the Floor: March 12, 2019

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