

A RESOLUTION AMENDING RESOLUTION NO. 20-12 TO AUTHORIZE THE CITY MANAGER TO ENTER INTO A CONTRACT WITH LIBERTA CONSTRUCTION AND TO AUTHORIZE AN APPROPRIATION OF ADDITIONAL FUNDING FOR THE STATE ROUTE 91 NORTH TURN LANE IMPROVEMENT PROJECT (PID 93822); AND DECLARING AN EMERGENCY.

WHEREAS, the project will include the addition of left turn lanes at Valley View Road, Herrick Park Drive, and Hines Hill Road, the resurfacing of SR 91 from Brandywine Drive to Middleton Road, the installation of an 8' sidewalk on the east side of SR 91, and bike lanes on both sides of the road from Brandywine Drive to Middleton Road (the "Project"); and

WHEREAS, pursuant to Resolution No. 20-12, passed by this Council on February 4, 2020, the City Manager was authorized to advertise for competitive bids and award the Project construction, with an Engineer's Estimate of Four Million Eight Hundred Sixty-Seven Thousand Seven Hundred Forty-Four Dollars and Thirty-Four Cents (\$4,867,744.34) plus a 6% contingency bringing the total cost not to exceed to Five Million One Hundred Fifty Nine Thousand Eight Hundred Nine Dollars (\$5,159,809.00); and

WHEREAS, the Ohio Department of Transportation has agreed to provide funding in the amount of \$3,025,000.00 to the City to offset a portion of the City's costs; and

WHEREAS, the City of Akron, Ohio has agreed to provide funding in the amount of \$681,495.15 to the City for the cost of the bid for the installation of a new waterline within the project limits; and

WHEREAS, the Engineer's Estimate was revised based on the issuance of bid-addendums due to unforeseen issues to Five Million Three Hundred Ninety-Four Thousand Two Hundred Two Dollars and Eighteen Cents (\$5,394,202.18); and

WHEREAS, bids were opened on May 12, 2020, and based on the revised Engineer's Estimate and corresponding bid-addendums, the lowest and best bid was received from Liberta Construction, in the amount of Five Million Seven Hundred Sixty-Five Thousand Five Hundred Seventy-two Dollars and Twenty-One Cents (\$5,765,572.21) plus a 5% contingency bringing the total cost not to exceed to Six Million Fifty-Three Thousand Eight Hundred Fifty Dollars and Eighty-Two Cents (\$6,053,850.82)

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Hudson, Summit County, State of Ohio, that:

Section 1: Resolution No. 20-12 of this Council is amended to authorize the City Manager to enter into a contract or contracts on behalf of the City, subject to the affixing to the contract by the Finance Director of a certificate of availability of funds therefor, with the lowest and best bidder after receipt of such bids to the extent that such bid is not ten percent (10%) in excess of the revised Engineer's Estimate referenced in the recitals and the City Manager is further authorized to add an additional 5% project construction contingency amount to the contract or contracts with the lowest and best bidder.

Section 2: The bid of Liberta Construction for the SR 91 N. Turn Lane Improvement Project (PID 93822) in the amount of \$5,765,572.21, plus a 5% contingency bringing the total cost not to exceed \$6,053,850.82, is accepted, and the City Manager is authorized to enter into a contract with Liberta Construction for said amount.

Section 3: The Director of Finance is authorized and directed to appropriate to a proper account the funds necessary for the contract authorized in Sections 1 and 2 of this Resolution.

Section 4: This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the citizens of the City, and for the further reason that it is immediately necessary to move forward with this Resolution in order to meet Project deadlines as determined by the Ohio Department of Transportation; wherefore, this Resolution shall be in full force and effect immediately upon its passage provided it receives the affirmative vote of five (5) members of Council, except that six (6) affirmative votes shall be required if all members are present at the meeting at which it is passed; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

Craig A. Shubert, Mayor

ATTEST:

Elizabeth Slagle, Clerk of Council

I certify that the foregoing Resolution No. 20-63 was duly passed by the Council of said Municipality on _____, 2020.

Elizabeth Slagle, Clerk of Council