

Resolution # : 09-14

PID No. : 88811

Project Name ASD SR 0511 14.07

RESOLUTION NO. 09-14

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, TO ENTER INTO A CONSENT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE STATE ROUTE 511 RESURFACING PROJECT WITHIN THE CITY CORPORATION LIMITS; AND DECLARING AN EMERGENCY.

The following is a Resolution enacted by the City of Ashland, Ashland County, Ohio, hereinafter referred to as the City, in the matter of the stated described project.

SECTION I – Project Description

WHEREAS, the State has identified the need for the described project:

The purpose of the project is to perform two-lane resurfacing on State Route 511 from the SR 60 overlap of SR 511 in the City of Ashland to the Lorain County Line, in Ashland County, Ohio.

Approximately 0.92 miles of this project is within the Ashland Corporation Limits.

Construction is tentatively scheduled to begin in 2015.

NOW THEREFORE, Be it resolved by the Council of The City of Ashland, Ashland County, Ohio, 5 members thereto concurring:

SECTION II – Consent Statement

Being in the public interest, the City gives consent to the Director of Transportation to complete the above-described project.

SECTION III – Cooperation Statement

The City shall cooperate with the Director of Transportation, **for the portion of this project within the Ashland Corporation limit**, as follows:

- 1) ODOT agrees to assume and bear one hundred percent (100%) of the preliminary engineering costs, and environmental studies costs.*

SECTION III – Cooperation Statement (continued)

- 2) *ODOT agrees to assume and bear eighty percent (80%) of the roadway construction and construction engineering costs.*
- 3) *The CITY agrees to assume and bear twenty percent (20%) of the roadway construction and construction engineering costs.*
- 4) *ODOT and the City agree that the following roadway construction items are eligible for 80%ODOT/20%City funding: Pavement planing, asphalt overlay, treatment of shoulder, height adjustment to existing guardrail, pavement markings, temporary and fast dry, adjustments to catch basins, man holes, valve boxes, etc. Mailbox supports and approaches and Work zone signs.*
- 5) *ODOT agrees to assume and bear one hundred percent (100%) of the bridge related costs.*
- 6) *The City further agrees to pay One Hundred Percent (100%) of the costs of the following construction items, pavement repair partial & full depth, curbs, curb ramps, sidewalks, City owned signs, guardrail- replacement of existing & required new locations, and those items requested by the City which are determined to be unnecessary by the State or Federal Highway Administration for the intent of this project.*

SECTION IV – Maintenance

Upon completion of the described Project, and unless otherwise agreed, the City shall:

- 1) Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;
- 2) Provide ample financial provisions, as necessary, for the maintenance of the described project;
- 3) Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.

SECTION V - Utilities and Right-of-Way Statement

The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION VI – Emergency Measure

That in order to proceed with said project at the earliest possible time, this Resolution is declared to be an emergency measure immediately necessary for the preservation of the public peace, property, health, safety and welfare of said City of Ashland.

That this Resolution shall take effect and be in force from and after its passage by Council and approval pursuant to Section 12 of the Charter of the City of Ashland, Ohio.

SECTION VII - Authority to Sign

Glen P. Stewart, Mayor of said City of Ashland is hereby empowered on behalf of the City of Ashland to enter into contracts with the Director of Transportation which are necessary to complete the above-described project.

Passed: April 1, 2014

/s/ Duane R. Fishpaw
~~Stephen L. Stuart, President of Council~~

Attest: /s/ Lindsey Queen
Lindsay Queen, Interim Clerk of Council

Approved: /s/ Glen P. Stewart
Glen P. Stewart, Mayor

Approved as to form and correctness:

/s/ Richard P. Wolfe
Richard P. Wolfe II, Director of Law

Date: April 1, 2014

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Ashland of Ashland County, Ohio

I, Lindsay Queen, as Clerk of the City of Ashland of Ashland County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. 09-14 adopted by the legislative Authority of the said City of Ashland on the 1 day of April, 2014.

That the publication of such Resolution has been made and certified of record according to Law; that no proceedings looking to a referendum upon such Resolution have been taken; and that such Resolution and certificate of publication thereof are of record in Resolution Book #7 Page 12-14.
(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 2 day of April, 2014.

City of Ashland of Ashland County, Ohio

(CITY SEAL)

/s/ Lindsey Queen
(Clerk)

(If the CITY is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Ashland of Ashland County, Ohio.

Attested: _____ Date _____
(Contractual Agent)

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For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)