

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

Ordinance No. #2020-7 Passed March 12th, 2020

AN ORDINANCE TO ALLOW PRELIMINARY PARTICIPATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OF CULVERT CLI-729-1225, WITH HALF OF THE STRUCTURE LOCATED IN THE VILLAGE OF SABINA.

WHEREAS, The structure of the culvert located on South Howard Street (State Route 729) on the corporation limit has been determined to be in need of replacement, and;

WHEREAS, The Village of Sabina, Clinton County, Ohio has determined the project to be viable and necessary to continued public safety;

NOW THEREFORE, be it resolved with 2/3 of the Council of the Village of Sabina, Clinton County, Ohio concurring;

SECTION I – Consent Statement

Being in the public interest, the Village of Sabina, Clinton County, Ohio (hereafter known as the LPA) gives consent to the Director of Transportation to complete the above described project.

SECTION II – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

The LPA agrees to participate in the cost of the project.

The LPA further agrees to pay 100% of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

SECTION III – Utilities and Right-of-Way Statement

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way includes eligible utility costs.

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

SECTION IV – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION V Authority to Sign

James L. Mongold, Mayor of said LPA, is hereby empowered on behalf of the Council of the Village of Sabina, Clinton County, Ohio to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation which is necessary to complete the above described project.

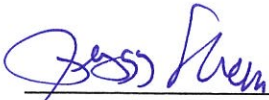

Upon request of ODOT, the Mayor is also empowered to assign all rights, title, and interests of the Village of Sabina to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

First Read: February 13th, 2020
Second Read: February 27th, 2020
Third Read: March 12th, 2020

Attest:

Approved By:


Nancy L. Cornell, Fiscal Officer


Peggy Sloan, President of Council

James L. Mongold, Mayor