

RECORD OF ORDINANCES

BEAR GRAPHICS 800-325-8094 FORM NO. 30043

2020-18

May 28th

20

Ordinance No. _____

Passed _____, 20_____

AN ORDINANCE TO ALLOW PRELIMINARY PARTICIPATION WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR REPLACEMENT OF THE SUPERSTRUCTURE OF BRIDGE CLI-729-1329, SFN: 1403788, LOCATED IN THE VILLAGE OF SABINA REFERENCING PID 77922 AND AGREEMENT 34784.

The following is an Ordinance enacted by the Village of Sabina of Clinton County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the LPA has determined the need for the described project:

Replace the existing superstructure of Bridge No. CLI-729-1329, SFN: 1403788. Bridge carries SR 729 over Wilson Creek in the Village of Sabina. Resurface portion SR 729 in Clinton County.

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

SECTION II – Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

The State shall assume and bear 100% of all of the costs of the improvement.

The LPA 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.

SECTION IV Authority to Sign

The LPA hereby authorizes Mayor James L. Mongold of said Village of Sabina to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the

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~~Ordinance No. 2020-18~~ ~~above-described project; and to execute contracts with ODOT, pre-qualified~~
consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the Mayor is also empowered to execute any appropriate documents to affect the assignment of 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.

SECTION V – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION VI – 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 VII – Effective Date

Upon passage, this Ordinance shall come into effect at the first date allowed by law.

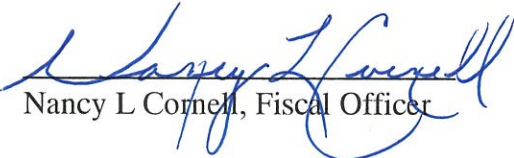
1st Read: 04/23/2020


2nd Read: 5/14/2020

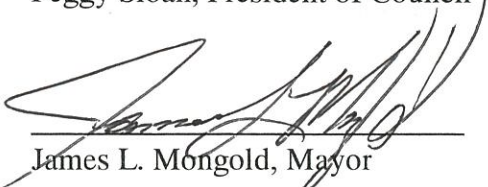
3rd Read: 5/28/2020

Attest:

Approved By:


Nancy L. Cornell, Fiscal Officer


Peggy Sloan, President of Council


James L. Mongold, Mayor