

AN ORDINANCE AUTHORIZING ODOT TO PERFORM PID NO. 100323 RESURFACING WORK ON SECTIONS OF SR 7 AND SR 46 WITHIN THE CORPORATION LIMITS OF THE CITY OF CORTLAND, OHIO

WHEREAS, the State has identified the need for the following resurfacing project:

Fine graded polymer AC Overlay on TRU SR 7 from mile marker 5.61 to 8.75 and on TRU SR 46 from mile marker 7.85 to 13.39

WHEREAS, the Council of the City of Cortland in Trumbull County, Ohio, agrees that there is the need for this resurfacing project and is hereinafter referred to as the Local Public Agency, (LPA) for the project.

NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CORTLAND:

Section 1. Consent Statement

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

Section 2. 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 construction within the City limits at Twenty Percent (20%) total cost.

The LPA further agrees to pay One Hundred Percent (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.

The LPA further agrees, if necessary, to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

Section 3. Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (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 (4) hold said right-of-way inviolate for public highway purposes.

Section 4.

This Ordinance shall take effect and be in full force as early as allowed by law.

PASSED IN COUNCIL THIS ____ DAY OF _____, 2016

ATTEST: _____
CLERK OF COUNCIL

PRESIDENT OF COUNCIL

FILED W/ MAYOR _____
DATE

MAYOR

O-05-16

FAILED FEBRUARY 1, 2016

DATE APPROVED _____

ROLL CALL

FIRST READING

Edwards, aye
Keller, aye
Linville, absent
Moore, aye
Petrosky, aye
Piros, aye
Rowley, aye

SECOND READING

Edwards, nay
Keller, nay
Linville, nay
Moore, nay
Petrosky, nay
Piros, nay
Rowley, nay

THIRD READING

OFFICIAL SEAL