

RESOLUTION NO. 22-112
(PID No. 106136)

OFFERED BY: MAYOR ANZEVINO

A RESOLUTION PURSUANT TO OHIO REVISED CODE 5521.01 CONSENTING TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO COMPLETE THE SR 91 BRIDGE REPLACEMENT PROJECT (PID NO. 106136) WITHIN THE CITY OF HUDSON, AUTHORIZING THE CITY OF HUDSON TO SERVE AS THE LOCAL PUBLIC AGENCY, AND AUTHORIZING FUNDS THEREFOR.

WHEREAS, the State of Ohio has identified the need for the described project: SUM SR 91-14.54, Construction of a multiuse trail along SR91 in the City of Hudson. Includes the removal of the barnstones around SFN 7707290, five culvert replacements and drainage work (the "Project"); and

WHEREAS, this Council desires to participate as the Local Public Agency ("LPA") in this Project.

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

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:

- A. The LPA agrees to participate in the cost of construction within the city limits at one hundred percent (100%) total cost, with a not to exceed cost of One Hundred Seventy-Five Thousand Dollars (\$175,000.00)
- B. 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.
- C. 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 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: Authority to Sign. The City Manager of the City of Hudson is empowered on behalf of the City of Hudson to enter contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project and to enter contracts with the Director of Transportation necessary to complete the above-described Project.

Section 5. Upon the request of ODOT, the City Manager is also empowered to assign all rights, title, and interests of the City of Hudson to ODOT arising from any agreement with its consultant to allow ODOT to direct additional or corrective work, recover damages due to errors or omission, and to exercise all other contractual rights and remedies afforded by law or equity.

Section 6. The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all its consultant contracts. The LPA further agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA also agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Section 7. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 8. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED:

Jeffery L. Anzevino, Mayor

ATTEST:

Aparna Wheeler, Clerk of Council

I certify that the foregoing Resolution No. 22-112 was duly passed by the Council of said Municipality on _____, 2022.

Aparna Wheeler, Clerk of Council

CERTIFICATE OF COPY
STATE OF OHIO

City of Hudson of Summit County, Ohio,
(LPA)

Aparna Wheeler, as Clerk of the City of Hudson
(LPA)

of Summit County, Ohio, do hereby certify that the forgoing is a true and
correct copy of Resolution No 22-112 adopted by the legislative Authority of the said
(Ordinance/Resolution)

City of Hudson on the _____ day of _____, 20 22
(LPA)

that the publication of such Resolution has been made and certified of
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such
Resolution have been taken; and that such Resolution

(Ordinance/Resolution) and certificate of publication thereof are of record in Resolution Page No. 22-112
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable, this _____ day of _____, 20____

CITY SEAL

Clerk

City of Hudson of Summit County, Ohio
(LPA)

(If the LPA 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 Hudson of Summit County, Ohio
(LPA)

Attest: _____, Date _____

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation