



# OHIO DEPARTMENT OF TRANSPORTATION

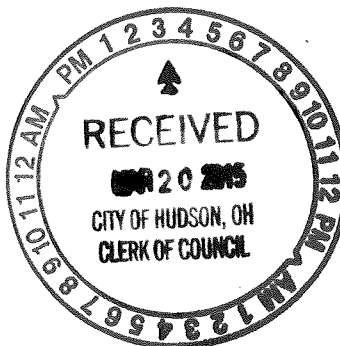
DISTRICT 4 • 2088 SOUTH ARLINGTON ROAD • AKRON, OHIO 44306 • (800) 603-1054  
JOHN R. KASICH, GOVERNOR • JERRY WRAY, DIRECTOR • ANTHONY M. URANKAR, DISTRICT DEPUTY DIRECTOR

March 17, 2015

City of Hudson  
115 Executive Parkway, Suite 400  
Hudson, Ohio 44236

Attention: Mr. William A. Currin, Mayor

Subject: CUY-IR 00080 Noisewalls, PID 98622



Dear Mr. Currin:

Attached are two (2) forms of Participatory Legislation for the subject project that will begin construction in fiscal year 2019. Per Section 5521.01 of the Ohio Revised Code, the Director of Transportation is required to request and receive legislation from municipalities, prior to making any necessary repairs to State Highways within the corporate limits. Please have both originals of the Legislation signed then return both to this office for further processing. Once they are signed in the District, one copy will be returned to you for your records.

This legislation may be retyped to suit local preferred format, however, no information may be deleted from the legislation, and the **Certificate of Copy, State of Ohio** must be returned signed and containing a line for the Director of Transportation's signature. Also, please put the county, route and section, along with the PID Number of the project on the cover letter, so the correct project information can be put with the related legislation. We would appreciate receiving this legislation as soon as it can be executed.

Once a scope is determined a copy will be sent for your review and comment. With the scope, a breakdown of items that will be our cost will be included. Your cooperation is greatly appreciated in this matter. Should you have any questions, please feel free to contact me at (330) 786-4921.

Respectfully,

James G. Kinnick, P.E.  
Planning & Engineering Administrator

Steven J. Rebillot  
Planning Administrator

JGK/SJR

Enclosures

cc: file

**PRELIMINARY LEGISLATION**  
**RC 5521.01**

Ordinance/Resolution# \_\_\_\_\_  
PID No. 98622  
County/Route/Section CUY-80-1.45/VAR

The following is \_\_\_\_\_ enacted by the City of Hudson Summit  
(An Ordinance/a Resolution) (Local Public Agency)  
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

**SECTION I - Project Description**

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

CUY IR 0080 Noisewalls

NOW, THEREFORE, be it ordained by City of Hudson of Summit County, Ohio.  
(LPA)

**SECTION II - Consent Statement**

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

**SECTION III - Cooperation Statement**

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

The LPA further agrees to participate with a lump sum amount of One Hundred Forty-Five Thousand Dollars (\$145,000.00).

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 IV - 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 costs include eligible utility costs.

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

**SECTION V - 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 VI - Authority to Sign**

The \_\_\_\_\_ of said City of Hudson is hereby empowered on behalf of  
(Contractual Agent) (LPA)  
the City of Hudson to enter into contracts with ODOT pre-qualified consultants  
(LPA)  
for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT, the \_\_\_\_\_ is also empowered to assign  
(Contractual Agent)  
all rights, title, and interests of the City of Hudson to ODOT arising from  
(LPA)  
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.

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 of its consultant contracts. The LPA 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 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.

Passed: \_\_\_\_\_, 20\_\_\_\_  
(Date)

Attested: \_\_\_\_\_  
(Clerk) (Officer of LPA - title)

Attested: \_\_\_\_\_  
(Title) (President of Council)

This \_\_\_\_\_ is hereby declared to be an emergency measure to

(Ordinance/Resolution)

expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY  
STATE OF OHIO

City of Hudson of Summit County, Ohio  
(LPA)

I, \_\_\_\_\_, 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 \_\_\_\_\_ adopted by the legislative Authority of the said  
(Ordinance/Resolution)

Mahoning County Engineer  
that the publication of such \_\_\_\_\_ has been made and certified of  
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such  
\_\_\_\_\_ have been taken; and that such \_\_\_\_\_  
(Ordinance/Resolution) (Ordinance/Resolution)

and certificate of publication thereof are of record in \_\_\_\_\_ Page \_\_\_\_\_  
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if  
applicable, this \_\_\_\_\_ day of \_\_\_\_\_, 2015\_\_

\_\_\_\_\_  
Clerk

(CITY SEAL)

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 \_\_\_\_\_

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For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_  
Director, Ohio Department of Transportation