PRELIMINARY LEGISLATION
Participatory

Ordinance/Resolution # : 1091
PID No. : 97177
County/Route/Section : BRO SR 125 9.47 Safety

The following is a/an Resolution (Ordinance/Resolution) enacted by the Village of Georgetown of Brown County, (Local Public Agency) Ohio hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the (LPA/STATE) has determined the need for the described project:

It is proposed on SR 125 SLM 9.47 & Home St. Intersection within the village of Georgetown, to reconstruct the traffic signal and intersection at Home Street to realign the intersecting roads and drives.

NOW THEREFORE, be it ordained by the Village of Georgetown of Brown 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:

Under ODOTs Urban Paving Program, the LPA agrees to assume and bear the entire cost of the improvement less the amount of Federal and State Funds set aside by the Director of Transportation for financing the improvement from funds allocated by the Federal Highway Administration.

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.

If curb ramps are constructed by ODOT in compliance with the Americans with Disabilities Act, future maintenance of installed sidewalk curb ramps shall be the responsibility of the LPA.

The LPA shall adjust any existing casting, as required, with City forces.
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 includes 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 the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V – 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 VI Authority to Sign

I, Village Administrator of said Village of Georgetown of Brown County, is hereby empowered on behalf of the (Title of Contractual Agent) (LPA) Village of Georgetown of Brown County, to enter into contracts with ODOT pre-qualified consultants for the (LPA) 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 Village Administrator is also empowered to assign all rights, title, and interests (Title of Contractual Agent) (LPA) of the Village of Georgetown to ODOT arising from any agreement with its consultant in order to allow (LPA) 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 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.
CERTIFICATE OF COPY
STATE OF OHIO

Village of Georgetown of Brown County, Ohio

(LPA)

I, Natalie K R Newberry, as Clerk of the Village of Georgetown of Brown County,

(LPA)

Ohio, do hereby certify that the foregoing is a true and correct copy of

Resolution #10511 adopted by the legislative Authority of the said

(Ordinance/Resolution)

Village of Georgetown on the 12th day of December, 2013.

(LPA)

That the publication of such Resolution has been made and certified of record according to

(Law; that no proceedings looking to a referendum upon such Resolution have been taken;

(Ordinance/Resolution)

and that such Resolution #10511 and certificate of publication thereof are of record in

(Ordinance/Resolution)

Page Book Starting Number 1072.

(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 12th day of December, 2013.

Natalie K R Newberry
(Clerk’s Signature)

(CITY SEAL)

Village of Georgetown of Brown 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 Village of Georgetown of Brown County, Ohio.

(LPA)

Attested: Natalie K R Newberry
(Clerk’s Signature)

(Rightward Agent’s Signature)

Date 12-12-13

For the State of Ohio

Attested: Kathi L Butts
(Director, Ohio Department of Transportation)

Date 1-2-14
Passed: December 13, 2013
(Date)

Attested: Natalie K. Neuberry
(Clerk’s Signature)

(Office of LEA’s Signature)

Attested: Natalie K. Neuberry
(Office of LEA’s Signature)

(President of Council’s Signature)

The Resolution #1091 is hereby declared to be an emergency measure to expedite the highway project 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.
January 3, 2014

The Honorable Dale E. Cahall, Mayor  
Village of Georgetown  
301 S. Main St., Town Building  
Georgetown, Ohio 45121

Re:  PID No.: 97177  
County/Route/Section: BRO SR 125 9.47 Safety

Dear Mayor and Village Council:

Attached for your files is a signed original copy of the above mentioned preliminary legislation.

If you have any questions, please contact Scott Thompson at (740) 774-8982.

Thank you for your assistance.

Respectfully,
Max Francis, PE  
Planning Engineer

By:  
Scott Thompson, Ohio Department of Transportation

Cc: File - Legislation File