

RESOLUTION NO. R-17-43

ADOPTING PRELIMINARY LEGISLATION FOR CRACK SEALING PORTIONS OF STATE ROUTE 73 IN THE CITY OF WILMINGTON, ODOT PID 94237, CLI/WAR GCS FY2018; AND DECLARING AN EMERGENCY

WHEREAS, the City of Wilmington (hereinafter referred to as the Local Public Agency (LPA)) has identified the need to perform crack sealing on State Route 73; and

WHEREAS, the City of Wilmington agrees with the terms of the Ohio Department of Transportation Preliminary Legislation document, attached hereto and incorporated herein as “Exhibit A.”

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, OHIO.

SECTION I — Project Description

The LPA/STATE has identified the need for the following described project:

Perform crack sealing on various routes on the General System within the district. This will include a portion of State Route 73, Straight Line Mile 11.81 to 13.12, more or less within the Corporation Limits of the City of Wilmington, Clinton County. The project is known as: PID 94237, CLI/WAR GCS FY2018.

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

The LPA agrees to pay 100% of the costs 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 – 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 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 purposes.

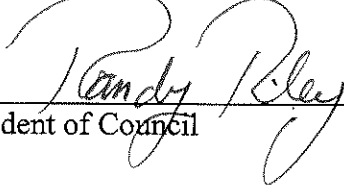
SECTION VI – Authority to Sign

The Service Director of said City of Wilmington is hereby empowered on behalf of the City of Wilmington to enter into contracts with the Director of Transportation which is necessary to complete the above described project.

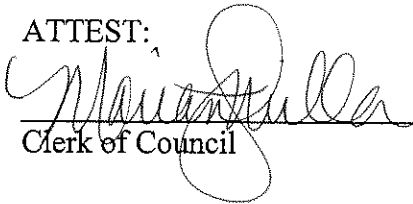
SECTION VII – Emergency Resolution

This Resolution 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.

Passed this 5th day of October, 2017.

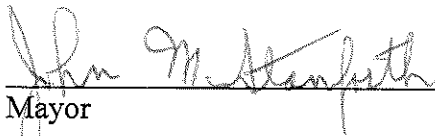


President of Council

ATTEST:


Clerk of Council

Approved by me this 5th day of October, 2017.



Mayor