

ORDINANCE NO. 2007-53

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE URBAN PAVING PROJECT TO PLANE AND RESURFACE PORTIONS OF U.S. 42 THROUGH THE CITY OF MASON

PID No. 77614

Project No. ____ (2007)

The following Final Resolution enacted by the City of Mason, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on **24th day of July, 2006**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The proposed work shall include, full depth pavement repair, mill existing pavement, stress absorbing membrane interlayer, asphalt surface course, new pavement markings and raised pavement markers, lying within the City of Mason; and

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

The City agrees to assume and bear the entire cost and expense of the improvement, less the amount Federal-aid funds set aside by the Director of Transportation for the State of Ohio for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to bear one hundred percent (100%) of the cost of the following items:

- 1. Preliminary Engineering, excluding in-house preliminary engineering and charges incurred by the State.**
- 2. Right-of-Way**

In addition, the City also agrees to assume and bear one hundred percent (100%) of the cost of any construction items requested by the City on the entire improvement, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.

The share of the cost of the LPA is now estimated in the amount of **Two Hundred Sixty Two Thousand Seven Hundred Eighty Four and - - - 00/100 Dollars, (\$262,784.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

PID No. **77614** – Final Resolution

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

- I. That the estimated sum of **Two Hundred Sixty Two Thousand Seven Hundred Eighty Four and - - 00/100 Dollars, (\$262,784.00)**, is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that **City Manager** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the 9th day of April, 2007, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume _____, at Page _____, and under date of _____, 2007.

Attest:


Clerk of Council


Mayor

SEAL
(If Applicable)