

ORDINANCE 2011 - 120

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR RESURFACING STATE ROUTE 741 (KINGS MILLS ROAD) FROM EAST OF PARKSIDE DRIVE TO BETHANY ROAD AND DECLARING AN EMERGENCY**

(Ordinance No. 2011-21 )  
PID No. 84307  
Project No. \_\_\_\_\_ (2012)

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 **14th day of March 2011**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

**The proposed work shall include full depth pavement repairs, mill existing Pavement, asphalt surface coarse, new pavement markings and raised Pavement markers for 1.52 miles of State Route 741 between Bethany Road And Parkside, 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 one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid funds set aside by the Director of Transportation 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 assume and bear one hundred percent (100%) of the cost of Preliminary Engineering and Right-of-Way, excluding in-house preliminary engineering and Right-of Way charges incurred by the State.**

The share of the cost of the LPA is now estimated in the amount of **One Hundred Seventy Four Thousand Twenty Four and - - - 00/100 Dollars, (\$174,024.00)**, 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

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 **One Hundred Seventy Four Thousand Twenty Four and - - - 00/100 Dollars, (\$174,024.00)**, 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

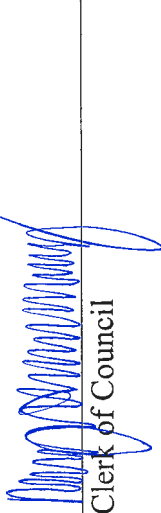
aforesaid highway improvement.


- III. That the LPA enter into a contract with the State, and that the **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.
- V. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and general welfare and shall be effective immediately upon its passage. The reason for said declaration of emergency is the need to execute the contract at the earliest possible date.

PID No. **84307** - Final Resolution

Passed this 12<sup>th</sup> day of December, 2011.

Attest:

  
Clerk of Council

  
Mayor

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 \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, 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 \_\_\_\_\_, 2\_\_\_\_\_.