

RESOLUTION NO. 56-2012

Offered by: All of Council

A RESOLUTION AUTHORIZING THE MAYOR AND THE FINANCE DIRECTOR TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE BRIDGE REPAIR AND MAINTENANCE ON STRUCTURE AT INTERSTATE 77 OVER STATE ROUTE 303 WITHIN THE VILLAGE, AND DECLARING AN EMERGENCY (ODOT PID No. 94048)

WHEREAS, the Ohio Department of Transportation (ODOT) intends to perform bridge repair and maintenance on structure at Interstate 77 over State Route 303 within the Village.

WHEREAS, Council supports this project and wishes to authorize and direct the Mayor and the Clerk to enter into all contracts necessary with ODOT to effectuate the above-mentioned repair and maintenance project by ODOT project in the Village.

NOW, THEREFORE, BE IT RESOLVED by the Council of the Village of Richfield, Summit County, State of Ohio:

SECTION 1. Project Description. The Ohio Department of Transportation (ODOT) intends to perform bridge repair and maintenance on structure at Interstate 77 (IR77-30.96) over State Route 303 within the Village (hereinafter "Project").

SECTION 2. Consent Statement. Being in the public interest, the Village of Richfield, as the Local Public Agency ("LPA"), gives consent to the Director of Transportation to complete the above-described Project.

SECTION 3. Cooperation Statement. The LPA shall cooperate with the Director of Transportation in the above-described Project as follows: The State shall assume and bear one hundred percent (100%) of all of the costs of the Project improvement. The LPA further agrees to pay one hundred percent (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.

SECTION 4. 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.

SECTION 5. 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

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 6. Authority to Sign. The Mayor and the Finance Director of the Village of Richfield are hereby empowered on behalf of the Village to enter into agreements with the Director of Transportation necessary to complete the above-described Project.

SECTION 7. Open Meeting. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings including Section 121.22 of the Ohio Revised Code.

SECTION 8. Emergency. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare and for the further reason that it is immediately necessary in order to expedite the above-described Project and promote highway safety at the earliest possible time; wherefore, provided this Resolution receives the affirmative vote of two-thirds of the members of Council elected or appointed, it shall take effect immediately upon its passage and execution by the Mayor; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 9-4-12

Mich Wheel
President of Council

Bobbie Beshara
Mayor

Dated: 9-4-12

ATTEST:

Carolyn E Sullivan
Clerk of Council

CERTIFICATE OF COPY
STATE OF OHIO

Village of Richfield of Summit County, Ohio
(LPA)

I, Carolyn E Sullivan, as Clerk of the Village of Richfield
(LPA)

of Summit County, Ohio, do hereby certify that the forgoing is a true and
correct copy of Res. 56-2012 adopted by the legislative Authority of the said
(Ordinance/Resolution)

Village on the 4th day of September, 20 12
(LPA)

that the publication of such Resolution has been made and certified of
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such
Resolution have been taken; and that such Resolution

(Ordinance/Resolution)

(Ordinance/Resolution)

and certificate of publication thereof are of record in

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(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable, this 5th day of Sept., 2012

Carolyn E Sullivan
Clerk

Village of Richfield of Summit, 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 _____ of _____, Ohio
(LPA)

Attest: _____, Date _____

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation