

ORDINANCE NO. 2015- 20

PRELIMINARY LEGISLATION

Preliminary Participatory

AN ORDINANCE AUTHORIZING CONSENT AND THE CITY'S SHARE OF PROJECT COSTS FOR THE REPLACEMENT OF THE US ROUTE 20 CULVERT CARRYING THE MICHAELS-WELLIVER DITCH IN THE CITY OF CLYDE.

PID No. 98746

County/Route/Section SAN-20-24.85 Culvert

The following is an ordinance enacted by the City of Clyde, Sandusky, County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the STATE and the LPA have identified the need for the described project:

United State Route US-20 culvert replacement carrying Michaels-Welliver ditch in the City of Clyde.

NOW THEREFORE, be it ordained by the City of Clyde, 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:

- 1) The LPA agrees to assume and contribute the entire cost and expense of the project less the amount of federal-aid funds set aside by the Director of Transportation for the financing of this project from funds allocated by the Federal Highway Administration, United States Department of Transportation.
- 2) The LPA will assume and bear one hundred percent (100%) of the total cost of any features requested by the LPA which are not necessary for the project as determined by the State and/or the Federal Highway Administration.
- 3) The LPA agrees, upon completion of the project, to own and maintain all those portions of the project under its jurisdiction.
- 4) The State agrees to be the lead agency and to administer the construction phase of the project.

SECTION IV - Utilities and Right-of-Way Statement

The LPA agrees that all existing street and public way right-of-way within the jurisdiction of the LPA which is necessary for the described project shall be made available therefor. The LPA further agrees that any right-of-way acquired by said LPA on behalf of the described project shall be acquired and/or made available in accordance with current State and Federal regulations.

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 highway purposes.

SECTION VI - Authority to Sign

The City Manager of said City is hereby empowered on
(Contractual Agent) (LPA)
behalf of the City to enter into contracts with the Director of
(LPA)
Transportation necessary to complete the above described project.

Passed: 5-19, 2015
(Date)

Attested: Janet R. Dickman
(Clerk) of Council

G. Scott Black
G. Scott Black, Mayor

APPROVED AS TO FORM:

Zachary J. Selvey
Zachary J. Selvey, Solicitor

CERTIFICATE OF COPY
STATE OF OHIO

City of Clyde, Sandusky, County, Ohio
(LPA)

I, Janet Dickman, as Clerk of the _____
City (LPA)
of Clyde, Ohio, do hereby certify that the foregoing is a true and correct copy
of an ordinance adopted by the legislative Authority of the said

City on the 19th day of May, 2015,
(LPA)
that the publication of such Ordinance has been made and certified of
record according to law; that no proceedings looking to a referendum upon such
Ordinance have been taken; and that such Ordinance

and certificate of publication thereof are of record in 2015-20, Page _____.
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official
seal, if applicable, this 19th day of May, 2015.

Janet R. Dickman
Clerk

(SEAL)
(If Applicable)

City of Clyde, Ohio.
(LPA)

The foregoing is accepted as a basis for proceeding with the project herein described.

For the _____
City of Clyde, Ohio
(LPA)

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

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