

CITY OF BELPRE  
RESOLUTION NO. 17 (2018-19)

A RESOLUTION REGARDING SIGNAL IMPROVEMENTS AT STATE RT. 7 AND FARSON STREET; STATE RT. 7 AND BRAUN ROAD; AND STATE ROUTE 618 AND LEE STREET.

**PRELIMINARY LEGISLATION**

(LPA-ODOT-Let Project Agreement)  
(PARTICIPATORY)

PID No. : 108341

County/Route/Section : WAS SR 7 7.250

Agreement No: 32913

The following is a **Resolution** enacted by the **City of Belpre, Washington** County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

**SECTION I – Project Description**

WHEREAS, the (LPA/STATE) has determined the need for the described project:

*Signal improvement project at 3 intersections. State Route 7 and Farson Street, State Route 7 and Braun Road, and State Route 618 and Lee Street. Total length of work in the City of Belpre is approximately 0.63 miles.*

NOW THEREFORE, be it ordained by the **City of Belpre, Washington County, Ohio** :

**SECTION II – Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

**SECTION III – Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

*The City does hereby propose to assume and contribute the entire cost and expense of the improvement, less the amount of Federal Aid Funds set aside by the Director of Transportation for financing 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) *Rights-of-Way*
- 2) *All costs for added construction items generating extra work contracts under Ohio laws, unless performance is approved by the State of Ohio and Federal Highway Administration before work is authorized.*

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*The LPA further agrees to pay 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.*

*The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.*

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

**SECTION IV Authority to Sign**

The LPA hereby authorizes the Safety-Service Director of said City of Belpre to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the Safety-Service Director is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the City of Belpre to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

**SECTION V – 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 VI – 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 VII-Emergency measure**  
(as applicable)

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 November 26, 2018  
(Date)

Attested Jessica Drake  
(Clerk) Pro Tem

Ronald P. Carr  
(Contractual Agent of LPA – title)

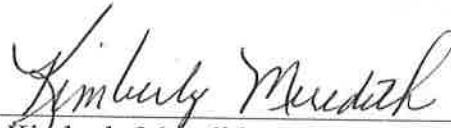
Safety Service Director

\_\_\_\_\_  
\_\_\_\_\_

CERTIFICATE OF COPY  
STATE OF OHIO

The City of Belpre, of Washington County, Ohio:

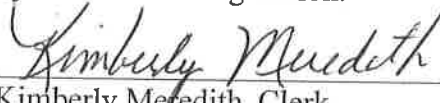
I, Kimberly Meredith, Clerk of the City Council of the City of Belpre, Washington County, Ohio, do hereby certify that the foregoing is a true and correct copy of said Resolution adopted by the legislative authority of the said City of Belpre, Ohio, on the 26<sup>th</sup> day of November, 2018.



Kimberly Meredith, Clerk

City of Belpre, of Washington County, Ohio

NOTE: No seal is required to accompany the executed legislation.



Kimberly Meredith, Clerk

City of Belpre, of Washington County, Ohio