PRELIMINARY LEGISLATION

Ordinance/Resolution No. __________________ PID No.92881 Project Name:  LOR SR 0254 02.83

The following _____________ enacted by the __City of Avon__ of __Lorain County__, Ohio, hereinafter referred to as the City, in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the State has identified the need for the described project:

_The Purpose of this project is to perform pavement repairs and resurface LOR 0254 2.83 (Sheffield/Avon Corp.) to 5.56 (200 W. of Clifton Way) (SUSPEND), (RESUME) LOR 0254 7.78 (about 300’ East of Nagle Rd) to 8.85 (NE Avon Corp/Cuyahoga Co. Line) Construction is tentatively scheduled to begin in the summer of 2020._

NOW THEREFORE, be it ordained by the __City of Avon__ of __Lorain County__, Ohio.

SECTION II - Consent Statement

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

The City shall cooperate with the Director of Transportation, for the portion of this project within the __Lorain Corporation limit__, as follows:

1)  _ODOT agrees to assume and bear one hundred percent (100%) of the preliminary engineering costs, and environmental studies costs._

2)  _ODOT agrees to assume and bear eighty percent (80%) of the roadway construction and construction engineering costs;_

3)  _The City agrees to assume and bear twenty percent (20%) of the roadway construction and construction engineering costs;_
SECTION III - Cooperation Statement continued.

4) ODOT and the City agree that the following roadway construction items are eligible for 80% ODOT/20% City funding: Pavement planing, asphalt overlay, treatment of shoulder, height adjustment to existing guardrail, pavement markings, temporary and fast dry, adjustments to catch basins, manholes, valve boxes, etc., mailbox supports & approaches, and work zone signs.

5) ODOT agrees to assume and bear one hundred percent (100%) of the bridge related costs.

6) The City further agrees to pay One Hundred Percent (100%) of the cost of the following construction items: Pavement repair partial & full depth, curbs, curb ramps, sidewalks, city owned signs, guardrail- replacement of deficient existing & required new locations, Portable changeable message signs, and those items requested by the City which are determined to be unnecessary by the State or Federal Highway Administration for the intent of this project.

7) A preliminary cost estimate for the city’s share of this project is $325,000, for construction costs and $35,000 for construction engineering (inspection).

SECTION IV - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the City shall:

1) Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;

2) Provide ample financial provisions, as necessary, for the maintenance of the described project;

3) Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.
SECTION V – Utilities and Right-of-Way Statement

If city owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the city will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

Passed: ____________________, 20__.
(Date)

Attested: ________________________________  ________________________________
(Clerk) (Officer of City - title)

Attested: ________________________________  ________________________________
(Title) (President of Council)

This ________ 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.
CERTIFICATE OF COPY
STATE OF OHIO
City of Avon  of  Lorain County , Ohio

I, ________________________, as Clerk of the ___City of Avon___ of ___Lorain County___, Ohio,

Do hereby certify that the foregoing is a true and correct copy of ______________ adopted by
(Ordinance/Resolution)

the legislative Authority of the said ___City of Avon___ on this ___ day of ________, 20___,

that the publication of such ______________ has been made and certified of record according to
(Ordinance/Resolution)

law; that no proceedings looking to a referendum upon such ______________ have been taken;
(Ordinance/Resolution)

and that such ______________ and certificate of publication thereof are of record in
(Ordinance/Resolution)

___, Page _________.

(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official

seal, if applicable, this ___ day of ________, 20___,

______________________________
(SEAL)  (If Applicable)  Clerk Signature
___City of Avon___ of ___Lorain County___, Ohio.

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

For the ___City of Avon___ of ___Lorain County___, Ohio

Attest: ________________________  ________________________ , Date __________
Contractual Officer

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For the State of Ohio

Attest: ________________________  ________________________ , Date ________
Director, Ohio Department of Transportation