

**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,  
(Ordinance/Resolution)  
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.

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**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  
(Ordinance/Resolution)  
 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.

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LOR SR 0254 02.83

**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