

RESOLUTION NO. 011-19R

A RESOLUTION ADOPTING THE PRELIMINARY LEGISLATION SUBMITTED BY THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION FOR THEIR RESURFACING – URBAN PAVING CITY OF SANDUSKY PROJECT, PID NO. 92889; AUTHORIZING AND DIRECTING THE CITY MANAGER TO SIGN THE PRELIMINARY LEGISLATION AND TO EXECUTE ANY NECESSARY CONTRACTS WITH THE DIRECTOR OF TRANSPORTATION FOR THIS PROJECT; AND DECLARING THAT THIS RESOLUTION SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the preliminary legislation, a copy of which is attached to this Resolution and marked Exhibit “A”, is necessary for the Director of the Ohio Department of Transportation to complete the Resurfacing-Urban Paving City of Sandusky Project which includes resurfacing from Venice Road to Sandusky ECL (ERI-006-06.41) and concrete repairs from Sycamore Line / Cleveland Road to Butler Street (ERI-250-00.00); and

WHEREAS, the preliminary legislation, Exhibit “A” attached to this Resolution, provides the terms of the agreement and cooperation between the City of Sandusky and the Director of Transportation regarding the completion of the project; and

WHEREAS, the estimated project cost is \$1,921,016.36 and the City’s portion of the costs (20% of roadway construction and construction engineering costs) is \$866,510.15; and

WHEREAS, this Resolution should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to return the executed preliminary legislation to the Ohio Department of Transportation by the March 29, 2019, deadline; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio, finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Resolution** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The preliminary legislation submitted by the Director of the Ohio Department of Transportation, a copy of which is attached to this Resolution and marked Exhibit “1”, for the Resurfacing - Urban Paving City of Sandusky Project, PID No. 92889, consenting to the Director of Transportation to complete resurfacing from Venice Road to Sandusky ECL (ERI-006-06.41) and concrete repairs from Sycamore Line / Cleveland Road to Butler Street (ERI-250-00.00), is adopted by this City Commission and the President of this City Commission is


authorized to sign the preliminary legislation.

Section 2. The City Manager is hereby authorized and directed to sign the preliminary legislation and to execute any necessary contracts with the Director of Transportation to complete the Resurfacing - Urban Paving City of Sandusky Project, PID No. 92889.


Section 3. If any section, phrase, sentence, or portion of this Resolution is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Resolution were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Resolution is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST: 

KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: March 11, 2019

PRELIMINARY LEGISLATION

Ordinance/Resolution No. _____

Project Name: PID No.92889
ERI US 0006 06.41

The following _____ enacted by the City of Sandusky of Erie 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:
Resurfacing-Urban Paving City of Sandusky
ERI-006-06.41 (Venice Rd) to 11.34 (Sandusky ECL)
ERI-250-00.00(Concrete Repairs) (Sycamore Line/Cleveland Rd.) to 00.49(Butler St.)
Construction is tentatively scheduled to begin in the Summer of 2020.

NOW THEREFORE, be it ordained by the City of Sandusky of Erie 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 Sandusky 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;*

PID No. 92889



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, 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 \$900,000.00 for construction costs and \$30,000.00 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
(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.

CERTIFICATE OF COPY
STATE OF OHIO
City of Sandusky of Erie County, Ohio

I, _____, as Clerk of the City of Sandusky of Erie 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 Sandusky 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 Sandusky of Erie County, Ohio.

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

For the City of Sandusky of Erie County, Ohio

Attest: _____, Date _____
Contractual Officer

For the State of Ohio

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