

Resolution # 2-2024

PID No. 117565

County/Route/Section: D03-SRTS PLYMOUTH FY2025

Agreement No. 40294

Resolution 2-2024

Passed January 9, 2024

A RESOLUTION TO ENTER INTO THE LPA-ODOT-LET AGREEMENT FOR THE SAFE ROUTES TO SCHOOL PROJECT BENEFITTING THE PLYMOUTH-SHILOH SCHOOL DISTRICT AND ITS STUDENTS, AND DECLARING AN EMERGENCY.

The following is a Resolution enacted by the Village of Plymouth of Richland/Huron County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

Project Description

WHEREAS, the State has determined the need for the following described project:

Safety and municipal planning organization funded improvements for a safe routes to school project installing sidewalks, crossing improvements, pavement markings, and signing.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF PLYMOUTH, COUNTY OF RICHLAND/HURON, STATE OF OHIO:

1. 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.

2. 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 LPA agrees to participate at 100% of all the costs of the project above the Federal and State maximum capped funding as specified in the LPA Federal ODOT Let Project Agreement in the amount of \$1,000,000 at 100% transportation enhancement and surface transportation block grant funding including toll revenue credit as allocated by the Richland County Regional Planning Commission for all phases of the project.

The LPA agrees to participate at 100% of all the costs of the project above the Federal and State maximum capped funding as specified in the LPA Federal ODOT Let Project Agreement in the amount of \$400,000 at 80% safety funding and 20% toll revenue credit as allocated by the Safe Routes to School Program for the construction phase of the project.

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.

3. Authority to Sign

The LPA hereby authorizes the Mayor of said LPA, Village of Plymouth, Ohio, 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 Mayor is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the Village of Plymouth, Ohio 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.

4. 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.

5. 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.

6. Emergency measure

That it is hereby determined that this Resolution is an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the residents of this Village and for the further reason that there is an immediate need to expedite the highway project and to promote highway safety for the Plymouth-Shiloh School District students,

and this Resolution shall therefore go into immediate effect provided it receives a two-thirds (2/3) vote of all members elected to this Council, otherwise it shall go into effect in thirty (30) days if passed by a majority vote of Council.

PASSED: January 9, 2024

Cassandra Zyman
Mayor

ATTEST: D. Amy Jamerson
Village Fiscal Officer

January 9, 2024
Date

APPROVED AS TO FORM:

Jon K. Burton
Jon K. Burton, Solicitor

John D. Studenmund
John D. Studenmund

PID No. 108009

Project Name D03 LG FY2024(A)


**CERTIFICATE OF COPY
STATE OF OHIO**

Village of Plymouth of Richland/Huron County, Ohio

I, DiAnn Jamerson, as Fiscal Officer of the Village of Plymouth of Richland/Huron County, Ohio, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the legislative Authority of the said Village of Plymouth on this 9 day of January, 2024, that the publication of such Resolution has been made and certified of record according to law; that no proceedings looking to a referendum upon such Resolution have been taken; and that such Resolution and certificate of publication thereof are of record in Resolution Number 2-2024.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 9 day of January, 2024.

(SEAL)
(If Applicable)


DiAnn Jamerson, MMC, Fiscal Officer
Village of Plymouth of Richland/Huron County, Ohio