

CITY OF HUBBARD, OHIO  
RECORD OF ORDINANCES AND RESOLUTIONS

THE FRED PROCTER CO., CINTI, O.

RESOLUTION NO. 818

ORDINANCE NO. ....

PASSED MAY 21

20 18

A RESOLUTION

A RESOLUTION TO AUTHORIZE THE CITY OF HUBBARD TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING OF SR 304 FROM SOUTH MAIN STREET TO THE HUBBARD EAST CORPORATION LIMIT, ODOT PID NO. 98509, TRU-SR 45/VAR-10.66/VAR.

WHEREAS, The City of Hubbard, Trumbull County, Ohio and Ohio State Director of Transportation have identified the need for the described project:

Resurfacing of SR 304 from South Main Street (US 62) to the Hubbard East Corporation Limit. Includes minor work to two structures on SR 304 within the city.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF HUBBARD, TRUMBULL COUNTY, STATE OF OHIO, THAT:

SECTION 1: Being in the public interest, the City of Hubbard gives consent to the Director of Transportation to complete the above described project.

SECTION 2: The City of Hubbard shall cooperate with the Director of Transportation in the above described project as follows:

The City of Hubbard agrees to participate in the cost of construction within the city limits at Twenty-Percent (20%) total cost.

The City of Hubbard further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the City of Hubbard which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The City of Hubbard 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 City of Hubbard. The City of Hubbard shall contribute its share of the cost of these items in accordance with other sections herein.

If required, the City of Hubbard further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

SECTION 3: Upon completion of the described Project, and unless otherwise agreed, the City of Hubbard shall (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (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 (4) hold said right-of-way inviolate for public highway purposes.

SECTION 4: The Hubbard Service Director of said City of Hubbard is hereby empowered on behalf of the City of Hubbard to enter into contracts with the ODOT pre-qualified consultants for the preliminary engineering phase of the Project and enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT the Hubbard Service Director is also empowered to assign all rights, title, and interests of the City of Hubbard 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.

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The City of Hubbard agrees that if Federal Funds are used to pay the cost of any consultant contract, the City of Hubbard shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the City of Hubbard agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The City of Hubbard 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 City of Hubbard 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 5: All prior legislation or parts thereof in conflict with this Resolution are hereby repealed.

SECTION 6: All formal actions of the City Council of Hubbard, Ohio relating to the adoption of this Resolution, and all deliberations of the City Council of Hubbard, Ohio and any of its committees leading to such action, were in meetings open to the public as required by law.

PASSED IN COUNCIL THIS 21<sup>ST</sup> DAY OF MAY, 2018.

ATTEST:

Larrie Brown  
CLERK OF COUNCIL

John D'Neen  
PRESIDENT OF COUNCIL REGULAR

APPROVED: John D'Neen  
MAYOR

APPROVAL DATE: MAY 22, 2018

FIRST READING: MAY 21, 2018

SECOND READING: \_\_\_\_\_

THIRD READING: \_\_\_\_\_

I hereby certify that the foregoing Resolution was published in The News of Hubbard on the dates hereinbelow set forth and was posted at the Hubbard City Municipal Building and the Hubbard Police Department on the day hereinbelow set forth.

DATES OF PUBLICATION: \_\_\_\_\_ 2018  
\_\_\_\_\_ day of MAY, 2018

\_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_ day of \_\_\_\_\_, 2018

POSTED: