

CITY OF HUBBARD, OHIO
RECORD OF ORDINANCES AND RESOLUTIONS

THE FRED PROCTER CO., CINTI, O.

RESOLUTION NO. 12-21.....

ORDINANCE NO.

PASSED Dec 20 2021.....

A RESOLUTION

AUTHORIZING THE CITY OF HUBBARD, TRUMBULL COUNTY, OHIO, HERINAFTER REFERRED TO AS THE LOCAL PUBLIC AGENCY, (LPA) TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE SIDEWALK REPLACEMENT ON MYRON STREET IN THE CITY OF HUBBARD, OHIO. ODOT PID NO. 101248, TRU SR5/82 13.94/13.88.

WHEREAS, the State has identified the need for the project described as the "Sidewalk Replacement on Myron Street in the City of Hubbard".

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 LPA gives consent to the Director of Transportation to complete the above-described project.

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

The LPA agrees to participate in the construction within the city limits at One Hundred Percent (100%) total cost, minus Federal enhancement funds with the 80%/20% applied to the project.

The LPA further agrees to pay One Hundred Percent (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 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 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 Mayor of said LPA is hereby empowered on behalf of the City of Hubbard to enter into contracts with the Director of Transportation which is necessary to complete the above-described project.

SECTION 5: Upon the request of ODOT, the Mayor is also empowered to assign all rights, title, and interests of the City of Hubbard to ODOT arising from any agreement with its consultant allowing ODOT to direct additional or corrective work, recover damage due to errors or omissions, and exercise all other contractual rights and remedies afforded by law or equity.

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 the administration of the consultant contract. Further, the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all 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 the 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.

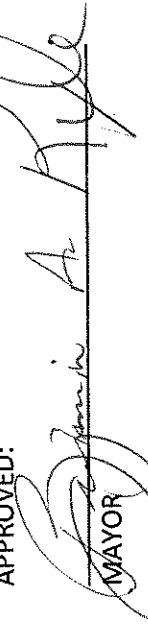
SECTION 6: All prior legislation or parts thereof in conflict with this Resolution are hereby repealed.

SECTION 7: 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 20TH DAY OF DECEMBER, 2021.


PRESIDENT OF COUNCIL
PRO TEM

ATTEST:

CLERK OF COUNCIL

APPROVED:

MAYOR
APPROVAL DATE: 12-20-21

FIRST READING: 12-6-21
SECOND READING: 12-20-21
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: _____ day of _____, 2021
POSTED: 21ST day of DECEMBER, 2021
____ day of _____, 2021
____ day of _____, 2021