



City Council
City of Mount Vernon
Mount Vernon, OH 43050

SCHEDULED

RESOLUTION 2024-23

Meeting: 02/26/24 7:30 PM
Dept: Streets and Public Buildings
Severns, Ruckman
Category: Streets
Prepared By: Rob Broeren
Initiator: Todd Hill
DOC ID: 3965

A RESOLUTION AUTHORIZING AND DIRECTING THE SAFETY-SERVICE DIRECTOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE REHABILITATION AND IMPROVEMENT OF EDGEWOOD ROAD (KNO CR 63A 0.00); AND DECLARING AN EMERGENCY.

WHEREAS, the City of Mount Vernon, Knox County, Ohio, hereinafter referred to as the Local Public Agency (LPA) has determined the need for the described project:

Widening of Edgewood Road from Gambier Road (US-229) to US-36. Roadway improvements are to include widening, drainage improvements, and multimodal improvements.

NOW THEREFORE, be it ordained by the City of Mount Vernon of Knox County, Ohio.

SECTION 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.

SECTION 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 an LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

For a breakout of costs and funding sources by Phase, please refer to Agreement 40144, Attachment 1.

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.

SECTION 3 - Utilities and Right-of-Way Statement

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way includes eligible utility costs.

The LPA agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that such accommodation, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 4 - 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.

SECTION 5 - Authority to Sign

The LPA hereby authorizes, Safety Service Director of the City of Mount Vernon is hereby empowered on behalf of the City of Mount Vernon 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, Safety Service Director to execute any appropriate documents to affect the assignment of all rights, title, and interests of the City of Mount Vernon 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.

SECTION 6 - Emergency Clause

This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety and for the further reason to immediately begin the process of the upgrade of Edgewood Road, become effective upon its date of passage and approval by the Mayor, provided that it receives the affirmative vote of two-thirds (2/3) of the members elected to the Council of the City of Mount Vernon; otherwise, it shall take effect and be in force from and after the earliest period allowed by law.

Bruce E. Hawkins, President of Council

PASSED: _____, 2024

ATTEST: _____
Todd Hill, Clerk of Council

APPROVED: _____, 2024

Matthew T. Starr, Mayor