



Introduced: 9/06/2022

Revised:

Adopted:

Effective:

CITY OF PATASKALA

RESOLUTION 2022-080

A RESOLUTION CONSENTING TO THE OHIO DEPARTMENT OF TRANSPORTATION INTERSECTION IMPROVEMENTS AT STATE ROUTE 16 AND SUMMIT ROAD AS WELL AS THE RESURFACING OF STATE ROUTE 16 WITHIN THE CITY OF PATASKALA

WHEREAS, the State of Ohio has determined the need for the following project: Resurfacing and related roadway work. Intersection improvements at SR 16 and Summit Road. Resurfacing work within city limits will be completed from Franklin/Licking County line to eastern corporation limit on Broad Street (SR 16); and

WHEREAS, in order to complete this project, the City of Pataskala (“the Local Public Agency” or “LPA”) must give the consent and assurances set forth herein.

NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:

Section 1: Being in the public interest, the LPA consents to the Director of Transportation to complete the above-described project.

Section 2: 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.

Section 3: 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: 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: The LPA hereby authorizes and directs the City Administrator 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, City Administrator shall execute any appropriate documents to affect the assignment of all rights, title, and interests of the City of Pataskala 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: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in meetings open to the public in compliance with all legal requirements of the State of Ohio.

Section 7: This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:

Kathy M. Hoskinson, Clerk of Council

Michael W. Compton, Mayor

APPROVED AS TO FORM:

Brian M. Zets, Law Director