

TEMPORARY RESOLUTION 179-11

PERMANENT RESOLUTION 18-12

PID NO. 92066
CRS FAI-CR54-4.00

PRELIMINARY LEGISLATION RC **5521.01**, FOR THE IMPROVEMENTS TO THE INTERSECTION OF PIERCE AVENUE AND FAIR AVENUE WHICH INCLUDE, MILL AND FILL, ASPHALT RESURFACING CURB REPLACEMENT/ADD WITHIN THE PROJECT LIMITS, ADA RAMPS AND UPGRADE OF TRAFFIC SIGNAL EQUIPMENT TO CURRENT ADA STANDARDS FOR THE VISUALLY IMPAIRED

The following is Resolution enacted by the **City of Lancaster** of Fairfield County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

WHEREAS, the STATE has identified the need for the described project:

Improvements to the intersection of Pierce Avenue and Fair Avenue which include, mill and fill asphalt resurfacing curb replacement/add within the project limits, ADA ramps and upgrade of traffic signal equipment to current ADA standards for the visually impaired.

NOW THEREFORE, be it ordained by the City of Lancaster, Ohio.

SECTION II - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION III - Cooperation Statement

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

The LPA does hereby propose to assume and contribute the entire cost and expense of the improvement less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to bear one hundred percent (100%) of the cost of the following items:

- (1) All cost for added items required to complete detail design
- (2) Rights-of-way
- (3) All costs for added construction items generating extra work

contracts under Ohio Laws, unless performance is approved by the State of Ohio and the Federal Highway Administration before work is authorized.

SECTION IV - 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.

SECTION V - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA 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 VI - Consultants and Authority to Sign

The Service-Safety Director of said City of Lancaster is hereby empowered on behalf of the Lancaster City Council to enter into agreements with the Director of Transportation necessary to complete the above described project.

SECTION VII.

That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 1/23/2012 after 3rd reading. Vote: Yeas 9 Nays 0

Date Approved: 1/23/2012

Clerk: Jeresa Lee Sandy

Offered by: Pat B. Hedges

Second by: John Zehr

Requested by Public Works Committee

Kenneth O. Cahn
President of Council

[Signature]
Mayor