

**RESOLUTION NO. 13-2012**

**TITLE: ENTER INTO CONTRACT – ODOT  
I-76 MOWING CONTRACT**

**A RESOLUTION OF THE COUNCIL OF THE CITY OF BARBERTON  
AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE  
OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO PROCEED WITH  
THE MOWING OF I-76, AND DECLARING AN EMERGENCY.**

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of  
Barberton, Summit County, Ohio that:

**SECTION 1. Project Description.**

The State has identified the need for the described project:

**PID NO. 92599      SUM – Mowing (FY2012)**

Mowing various interstate routes in the City.

**SECTION 2. Consent Statement.**

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

**SECTION 3. Cooperation Statement.**

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

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

**SECTION 4. Consultants and Authority to Sign.**

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

Upon the request of ODOT, the Mayor is also empowered to assign all rights, title, and  
interests of the City of Barberton 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.

The City of Barberton agrees that if Federal Funds are used to pay the cost of any  
consultant contract, the City of Barberton shall comply with 23 CFR 172 in the selection  
of its consultant and the administration of the consultant contract. Further, the City of

**SECTION 7.** That it is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were meetings open to the public in compliance with the law.

Passed \_\_\_\_\_ 2012

President of Council

Approved \_\_\_\_\_ 2012

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