

LOM:raf
07/21/2014
Debevec

Presented by: Mrs.

RESOLUTION NO. 104-2014

**TITLE: ENTER INTO CONTRACT – ODOT
ROBINSON AVE RESURFACING**

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 RESURFACING (PID #98362), .85 MILES OF ROBINSON AVE AND THE INSTALLATION OF ADA RAMPS, LYING WITHIN THE CITY OF BARBERTON, 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. 98362 SUM - ROBINSON AVE

Resurfacing .85 miles of Robinson Ave and the installation of ADA ramps, lying within the City of Barberton.

SECTION 2. Cooperation Statement.

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

Authorize the Mayor to enter into an agreement with the Ohio Department of Transportation for an LPA Federal Project Agreement for the SUM Robinson Avenue resurfacing PID 98362, a copy of which agreement is attached hereto as Exhibit “A” and incorporated herein fully as if by reference, and to make any necessary funding commitments required thereby.

Authorize the Mayor to enter into contract with the lowest and/or best contractor for the paving of Robinson Ave, not to exceed \$660,000.00.

SECTION 3. Maintenance.

Upon completion of the described Project, and unless otherwise agreed, the City of Barberton 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 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 consultants for the construction engineering and administration phase of the Project.

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 Barberton agrees to incorporate ODOT’s “Specifications for Consulting Services” as a contract document in all of its consultant contracts.

SECTION 5. 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.

SECTION 6. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, convenience and welfare of the City of Barberton and the inhabitants thereof, in order to expedite the highway project and to promote highway safety, and provided it receives the necessary votes required by the City Charter, shall be in full force and effect from and after its passage and approval; otherwise to be in full force and effect from and after the earliest period allowed by law.

Passed _____ 2014

Clerk of Council

President of Council

Approved _____ 2014

Mayor