

RESOLUTION NO. 121-2022

**TITLE: ENTER INTO CONTRACT – ODOT
FINAL RESOLUTION**

A FINAL RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE IMPROVEMENT OF WOOSTER ROAD NORTH BETWEEN APPROXIMATELY 270 FEET WEST OF STATE STREET AND HIRAM STREET AND STATE STREET BETWEEN APPROXIMATELY 250 FEET SOUTH OF WOOSTER ROAD NORTH AND HIRAM STREET AND THE CONSTRUCTION OF AN EXTENSION OF HOLMES AVENUE (MR 2039) BETWEEN 3RD STREET AND WUNDERLICH AVENUE, INCLUDING FULL DEPTH PAVEMENT, PAVEMENT REPAIR, CURB, SIDEWALK, CURB RAMPS, DRAINAGE IMPROVEMENTS, WATER MAIN WORK, SIGNAGE, PAVEMENT MARKINGS, AND PEDESTRIAN SIGNALS, LYING WITHIN THE CITY OF BARBERTON, AND DECLARING AN EMERGENCY.

The following Final Resolution enacted by the City of Barberton, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or “LPA”, in the matter of the stated described project.

WHEREAS, on the 13th day of June, 2022, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of the reconstruction of Wooster Road N between approximately 270 feet west of State Street and Hiram Street and State Street between approximately 250 feet south of Wooster Road N and Hiram Street and the construction of an extension of Holmes Avenue (MR 2039) between 3rd Street and Wunderlich Avenue, including full depth pavement, pavement repair, curb, sidewalk, curb ramps, drainage improvements, water main work, signage, pavement markings, and pedestrian signals, lying within the City of Barberton; and

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

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, 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.

The share of the cost of the LPA is now estimated in the amount of One Million Seven Hundred Twenty-Three Thousand Four Hundred Fifty-Six and - - - 83/100 Dollars, (\$1,723,456.83), but said estimated amount is to be adjusted in order that the LPA’s ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway/structure improvement.

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

SECTION 1. That the estimated sum, of One Million Seven Hundred Twenty-Three Thousand Four Hundred Fifty-Six and - - - 83/100 Dollars, (\$1,723,456.83) is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal Funds.

SECTION 2. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION 3. That the LPA enter into a contract with the State, and that the Mayor be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

SECTION 4. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

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 have a certified copy of the legislation returned to ODOT in a timely fashion, 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 September 12, 2022

Clerk of Council

President of Council

Approved _____ 2022

Mayor