



## CITY OF PATASKALA

### ORDINANCE NO. 2010 - 3957

Passed: January 19, 2010

#### **AN ORDINANCE AUTHORIZING THE ADMINISTRATOR TO REVIEW AND EXECUTE ANY AND ALL AGREEMENTS RELATED TO THE MCINTOSH ROAD BRIDGE REPLACEMENT PROJECT**

WHEREAS, the City of Pataskala, known herein as the Local Public Agency (LPA), has been awarded a grant, for a maximum of \$400,000 through the Federal Municipal Bridge Program; and

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

*Replacement of a deficient bridge on Township Road 155 (McIntosh Road) within the City of Pataskala (Bridge Number 4563360); and*

WHEREAS, it is necessary for the City of Pataskala to enter into agreements with the Ohio Department of Transportation in order to complete the aforementioned project; and

WHEREAS, the City Administrator is hereby given the authority to execute said agreements as the contractual agent for the City of Pataskala.

**NOW THEREFORE, BE IT ORDAINED, BY THE COUNCIL OF THE CITY OF PATASKALA, LICKING COUNTY, OHIO, A MAJORITY OF ALL MEMBERS ELECTED THERETO CONCURRING:**

Section 1: Being in the public interest, the LPA gives consent to the ODOT Director of Transportation to complete the above described project.

Section 2: The LAP shall cooperate with the ODOT Director of Transportation in the above described projects as follows:

The LPA does hereby propose to assume and contribute the entire cost and expense of the Improvement less the amount of the 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. Preliminary engineering
2. Rights-of-way

3. All costs 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.

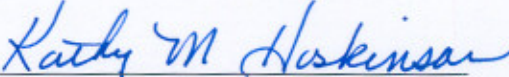
Section 3: The LPA agrees that all rights-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that rights-of-way costs include eligible utility costs.

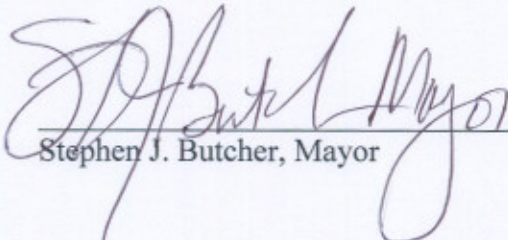
The LPA agrees that all utility accommodation, relocation, and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

Section 4: Upon completion of the aforementioned 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.

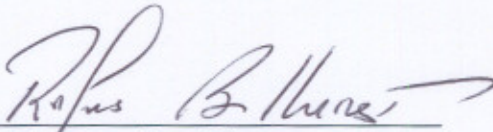
Section 5: This Ordinance shall be in effect upon the earliest date permitted under the Charter and Ordinances of the City of Pataskala

ATTEST:

  
Kathy M. Hoskinson, Clerk of Council

  
Stephen J. Butcher, Mayor

APPROVED AS TO FORM:

  
Rufus B. Hurst, Law Director

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For State of Ohio

Attest: \_\_\_\_\_

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Director, Ohio Department of Transportation

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Date