

RESOLUTION NO. 31-10
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Paul Gresham ON THE
16th DAY OF August, 2010.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE GREENE COUNTY ENGINEER AND SUGARCREEK TOWNSHIP IN ORDER TO OBTAIN FUNDING FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE CLYO ROAD PHASE II PROJECT.

WHEREAS, The Ohio Public Works Commission will provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, The City of Centerville, the Greene County Engineer and Sugarcreek Township are planning to make capital improvements to Clyo Road, and

WHEREAS, The infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under OPWC programs.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

Section 1: That the City Manager be and is hereby authorized to apply to the OPWC for funds as described above.

Section 2: That the City Manager is hereby authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

PASSED this 16th day of August, 2010.

C. Mark Kasper
Mayor of the City of Centerville, Ohio

ATTEST:

Debra A. James
Clerk of Council, City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio hereby certifies that the foregoing is a true and correct copy of Resolution Number 31-10 passed by the Council of the City of Centerville, Ohio on the 16th day of August, 2010.

Debra A. James
Clerk of Council

Approved as to form, consistency
with existing Ordinances, the
Charter and Constitutional Provisions.
Department of Law
Scott A. Liberman
Municipal Attorney

PROJECT AGREEMENT BETWEEN SUGARCREEK TOWNSHIP, THE GREENE COUNTY ENGINEER, AND THE CITY OF CENTERVILLE

This Agreement between Sugarcreek Township (hereinafter referred to as the "Township"), the Greene County Engineer (hereinafter referred to as the "Engineer"), and the City of Centerville (hereinafter referred to as the "City") is made this _____ day of _____, 2010. The Township, Engineer, and City propose to enter into an Agreement for the Clyo Road Phase II Project. This is an Ohio Public Works Commission Project contingent upon 84% OPWC and 16% Local funding. The following conditions shall prevail:

1. The Township, Engineer, and City agree to pay their local share of all work for their respective jurisdiction, in an amount not-to-exceed:

- Greene County Share – 5% of the 16% (0.8% of total project cost) max - \$13,856.83
- City of Centerville Share – 5% of the 16% (0.8% of the total project cost) max - \$13,856.83
- Sugarcreek Township Share – remainder of 16% (15.2% of total project cost)

2. Each respective jurisdiction/Representative, shall decide all questions which may arise as to quality and acceptability of materials furnished and work performed and as to the rate of progress of the work; all questions which may arise as to the interpretation of the plans and specifications; all questions as to the acceptable fulfillment of the contract on the part of the Contractor, and as to compensation.

3. The County Engineer will assist the Township in the preparation and submittal of all OPWC forms. All costs associated with inspection and administration of the contract shall be assessed to the project.

4. The County Engineer shall review any designs involving County jurisdiction made by an engineer employed for the project. His approval must be obtained before the project is advertised for bids.

5. As the Township, Engineer, and City have agreed to cooperate on this project, the contractor shall invoice the Township for the completed work; in turn the Township shall invoice the Engineer and City for its respective portion of work. Since this project is funded in part by the Ohio Public Works Commission, the Township, Engineer, and City will pay only the local share of its respective invoice; the remainder is to be paid by the Ohio Public Works Commission.

The acceptance of this Agreement is indicated by the signatures below:

SUGARCREEK TOWNSHIP
Board of Trustees

CITY OF CENTERVILLE
Centerville City Manager, Gregory B. Horn

ATTEST: _____

ATTEST: _____

GREENE COUNTY, STATE OF OHIO
Greene County Engineer, Robert N. Geyer, P.E., P.S.

Approved as to form only:
Prosecuting Attorney's Office

ATTEST: _____

ATTEST: _____