

RESOLUTION NO. 43-01
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMEMBER Douglas Clive ON THE
7th DAY OF May, 2001.

A RESOLUTION AUTHORIZING THE CITY MANAGER
TO EXECUTE A CONTRACT BETWEEN THE CITY OF
CENTERVILLE AND THE STATE OF OHIO, DEPARTMENT
OF TRANSPORTATION TO SET FORTH REQUIREMENTS
ASSOCIATED WITH THE STATE ROUTE 725 - SECTION
20.10 - STATE - PID NO. 12697 PROJECT.

WHEREAS, on the 17th day of May, 1993, the Legislative Authority/Local Public Agency ("LPA") enacted legislation proposing cooperation with the Director of Transportation for the described project:

The reconstruction and widening of State Route No. 725 (Alexandersville-Bellbrook Road) to a 4/5 facility on modified alignment and profile including curb and gutter, storm sewer, sidewalks, traffic control signs, signals and pavement markings. The project is located east from Loop Road to Wilmington Pike within the City of Centerville. The total work length of project being approximately 1.25 miles; 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 the entire cost and expense of the improvement less the amount of State Funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the U.S. Department of Transportation, as well as Issue Two funds set aside by Ohio Public Works Commission, and further, the City agrees to bear one hundred percent (100%) of the cost of Preliminary Engineering and Right-of-way, excluding in-house preliminary engineering and right-of-way charges incurred by the State.

In addition, the City also agrees to assume and bear one hundred percent (100%) of the cost of any construction items requested by the City on the entire improvement, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.

Also, the City agrees to be the contractual agent for the project.

The share of the cost of the LPA is now estimated in the amount of Six Hundred

Eight Thousand Six Hundred Three and - - - 50/100 Dollars. (\$608,603.50) for the City of Centerville plus Three Hundred Twenty Nine Thousand Seven Hundred Eighty Two and - - - 50/100 Dollars (\$329,782.50) for Montgomery County Sanitary equals Nine Hundred Thirty Eight Thousand Three Hundred Eighty Six and no/100 Dollars (\$983,386.00) less Ohio Public Works Commission Funds Granted (CDL04) applied in the amount of Six Hundred Eight Thousand Six Hundred Three and - - - 50/100 Dollars (\$608,603.50) leaving a balance due of Three Hundred Twenty Nine Thousand Seven Hundred Eighty Two and - - - 50/100 Dollars (\$329,782.50), 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 improvement.

NOW THEREFORE, THE MUNICIPALITY OF CENTERVILLE
HEREBY RESOLVES:

Section 1. That the estimated sum of Three Hundred Twenty Nine Thousand Seven Hundred Eighty Two and - - - 50/100 Dollars, (\$329,782.50), 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 State funds.

Section 2. The 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 City Manager 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.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the 7th day of

May, 2001, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume 7, at Page 450, and under date of May 7, 2001.

PASSED this 7th day of May, 2001.

Sally D. Buel
Mayor of the City of Centerville, Ohio

ATTEST:

Maui Jane Saugli
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 43-01, passed by the Council of the City of Centerville, Ohio, on the 7th day of May, 2001.

Maui Jane Saugli
Clerk of Council

Approved as to form, consistency
with the Charter and Constitutional Provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney