

RESOLUTION NO. 6-79
CITY OF CENTERVILLE, OHIO

SPONSORED BY COUNCILMAN Jeffrey S. Law ON THE 17th
DAY OF February, 1979.

A RESOLUTION RATIFYING THE ACTION TAKEN BY THE CITY MANAGER TO EXECUTE AN AGREEMENT BETWEEN THE OHIO HISTORICAL SOCIETY AND THE CITY OF CENTERVILLE, OHIO, IN THE MATTER OF A GRANT-IN-AID UNDER THE NATIONAL HISTORIC PRESERVATION ACT OF 1966 FOR THE PRESERVATION OF THE TEMPLE HOUSE.

WHEREAS, The Society, at the request of the City of Centerville, has applied for a fifty percent (50%) matching grant-in-aid from the Office of Archeology and Historic Preservation, Heritage Conservation and Recreation Service, U.S. Department of the Interior, under the National Historic Preservation Act of 1966 (80 Stat. 915, 16 USC 470), for the preservation of the Temple House, a property listed in the National Register of Historic Places; and

WHEREAS, the Heritage Conservation and Recreation Service has awarded to the Society a fifty percent (50%) matching grant of \$10,000;

NOW, THEREFORE, THE MUNICIPALITY OF CENTERVILLE HEREBY RESOLVES:

SECTION 1. That the Council of the City of Centerville, Ohio, hereby ratifies the action taken by the City Manager to execute an Agreement between the Ohio Historical Society and the City of Centerville, Ohio, for a grant-in-aid from the Office of Archeology and Historic Preservation, Heritage Conservation and Recreation Service, U.S. Department of the Interior, under the National Historic Preservation Act of 1966, for the preservation of the Temple House, a copy of which is attached hereto, and incorporated herein, marked Exhibit "A".

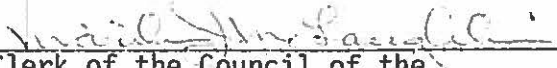
SECTION 2. That this Resolution shall be in full force and effect at the earliest date allowed by law.

PASSED this 17th day of February, 1979.



Mayor of the City of Centerville, Ohio

ATTEST:



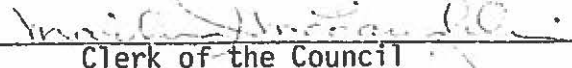
Clerk of the Council of the
City of Centerville, Ohio

CERTIFICATE

The undersigned, Clerk of the Council of the City of Centerville, Ohio, hereby certifies the foregoing to be a true and correct copy of Resolution No. 6-79, passed by the Council of the City of Centerville, Ohio, on the 17th day of February, 1979.

Approved as to form, consistency with existing ordinances, the charter and constitutional provisions.

Department of Law
Robert N. Farquhar
Municipal Attorney



Clerk of the Council

AGREEMENT

AGREEMENT made this 4th day of February, 1979, between The Ohio Historical Society at 1982 Velma Avenue, Columbus, Ohio 43211, hereinafter referred to as The Society, and City of Centerville hereinafter referred to as the Transferee.

WHEREAS, The Society, at the request of the Transferee, has applied for a fifty percent (50%) matching grant-in-aid from the Office of Archeology and Historic Preservation, Heritage Conservation and Recreation Service, U.S. Department of the Interior, under the National Historic Preservation Act of 1966 (80 Stat. 915, 16 USC 470), for the preservation of Temple House, a property listed in the National Register of Historic Places and

WHEREAS, the Heritage Conservation and Recreation Service has awarded to The Society a fifty percent (50%) matching grant of \$10,000, and

WHEREAS, under the terms of said grant as recommended by the Ohio Historic Site Preservation Advisory Board and accepted by The Society, if grant assistance is transferred to the Transferee, The Society is responsible for insuring the Transferee's compliance with all terms of the assistance and with program policies and procedures,

NOW THEREFORE, The Society and the Transferee do mutually agree as follows:

1. The Transferee, or the Owner if the Transferee is not the Owner, shall administer the assisted property in such manner as to permit maximum public enjoyment of the assisted property.
2. The Transferee agrees to carry out project work outlined and described in proposal to have an architectural work done and stabilization work on building, attached to and a part of this Agreement, in accordance with the National Historic Preservation Act of 1966 (80 Stat. 915, 16 USC 470), Heritage Conservation and Recreation Service policies and regulations as set forth in Historic Preservation Grants-in-Aid Policies and Procedures, the Project Application as approved, and any special conditions required by the Heritage Conservation and Recreation Service. The Transferee should also refer to the Grants Manual: Ohio's Guide to the Heritage Conservation and Recreation Service Historic Preservation Grants Program, edited and adapted from the above publication of the Heritage Conservation and Recreation Service.
3. The Transferee agrees to complete the proposed work by November 30, 1979 and to post a project sign in accordance with the attached guidelines.
4. The Transferee agrees to comply with applicable laws, statutes, building codes and regulations.
5. For projects whose total cost will be more than \$10,000, formal advertising with adequate purchase description, sealed bids and public openings shall be required, except when the project contract is for personal or professional services. Other exceptions, in accordance with Federal Management Circular 74-7, Supp. 1, Attachment O, may be made. All bid documents shall be submitted as part of the Project Completion Report.
6. As a condition for federal assistance pursuant to the National Historic Preservation Act of 1966, the Transferee must comply with the Department of the Interior's regulations in 43 CFR with respect to implementing Title VI of the 1964 Civil Rights Act, which precludes discrimination in federally assisted

public

programs for reasons of race, color or national origin. Additionally, if this contract exceeds \$10,000, the Transferee will observe the equal opportunity provisions of Chapter 60 of 41 CFR, which is hereby incorporated by reference.

7. The wages to be paid for a legal day's work to laborers, workmen or mechanics engaged in the work pursuant to this Agreement at the site of the project for the trade or occupation employed shall not be less than the wage rates set forth by the Department of Industrial Relations of the State of Ohio in effect for Montgomery County as of the Date bids are received for the project.

8. The "cost-plus-a-percentage-of-cost" method of contracting shall not be used.

9. The Transferee agrees that The Society may at any time during the project inspect the property to determine that the quality of materials and standards of workmanship are satisfactory to The Society.

10. The Transferee agrees to forward copies of invoices and cancelled checks for all expenditures to The Society for purposes of audit. Copies of invoices and cancelled checks must be forwarded to The Society before payment of the grant will be made.

11. The Transferee must ensure that The Society may upon request audit the books and receipts of the Transferee and his contractors and subcontractors, and that the Heritage Conservation and Recreation Service's auditors shall have the same privilege.

12. The Transferee agrees to prepare a Project Completion Report at the conclusion of project work according to guidelines outlined in the Grants Manual: Ohio's Guide to the Heritage Conservation and Recreation Service's Historic Preservation Grants Program and further agrees to revise such report until satisfactory to The Society.

13. The Society agrees to pay to Transferee fifty percent (50%) of the actual cost of the project work, but not in excess of \$ 10,000, upon completion of project work in accordance with the conditions of this contract and submission of a satisfactory Project Completion Report.

IN WITNESSETH WHEREOF, the parties hereto have hereunto set their hands and seals the day and year first above written.

By [Signature]
Transferee
CITY MANAGER
CENTERVILLE, OHIO

By _____
Owner

THE OHIO HISTORICAL SOCIETY

By [Signature]
Thomas H. Smith, Director
State Historic Preservation Officer