

RESOLUTION AUTHORIZING PRELIMINARY PARTICIPATORY LEGISLATION BY AND BETWEEN THE OHIO DEPARTMENT OF TRANSPORTATION AND BOARD OF COMMISSIONERS OF ASHTABULA COUNTY FOR THE WATERLINE REPLACEMENT AROUND THE SR307/SR534 ROUNDABOUT PROJECT, HARPERSFIELD TOWNSHIP, ACDES

WHEREAS, Doug Starkey, Director of the Ashtabula County Department of Environmental Services, has presented legislation with the Ohio Department of Transportation relative to the Waterline Replacement Around the SR307/SR534 Roundabout Project in Harpersfield Township; and

Scope of Project: The project is located in Harpersfield Township, at the intersection of State Route 534 and State Route 307. It involves the relocation of the water main that lies under the area where ODOT is creating a roundabout.

Provider: Ohio Department of Transportation
1980 West Broad St.
Columbus, Ohio 43223

Estimated Cost: \$157,700.00

THEREFORE, BE IT RESOLVED, by the Board of County Commissioners of the County of Ashtabula, Ohio, that the participatory legislation with the Ohio Department of Transportation, as noted above, is hereby authorized in accordance with the copy of said legislation now on file in this office.

BE IT FURTHER RESOLVED that the President of the Board, on behalf of the Board of Commissioners of Ashtabula County, is authorized to execute any and all necessary documents.

BE IT FURTHER RESOLVED, This Board finds and determines that all formal actions of this Board concerning and relating to the adoption of this resolution were taken in an open meeting of this Board and that all deliberations of this Board and of any of its committees that resulted in those formal actions were in meetings open to the public.

**ASHTABULA COUNTY COMMISSIONERS
CERTIFICATION PAGE**

Resolution No. 2023-100

February 07, 2023

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Upon the motion of Kathryn L. Whittington, seconded by J.P. Ducro IV.

VOTE:

Casey R. Kozlowski	Aye
Kathryn L. Whittington	Aye
J.P. Ducro IV	Aye

CERTIFICATE OF CLERK

IT IS HEREBY CERTIFIED that the foregoing is a true and correct transcript of a resolution acted upon and duly passed by the Board of County Commissioners of Ashtabula County, Ohio, on the date noted above.



Lisa Hawkins, Clerk of the Board
Board of County Commissioners
Ashtabula County, Ohio

PRELIMINARY PARTICIPATORY LEGISLATION
RC 5521.01

Ordinance/Resolution# 2023-100
PID No. 111133
County/Route/Section ATB SR 0307 03.21

The following is a Resolution _____ enacted by the Board of Commissioners of Ashtabula
(An Ordinance/a Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I - Project Description

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

Waterline replacement around the SR 307/SR 534 roundabout in Ashtabula County.

NOW, THEREFORE, be it ordained by the Board of Commissioners of Ashtabula County, Ohio.

(LPA)

SECTION II - Consent Statement

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

SECTION III - Cooperation Statement

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

The LPA agrees to participate in the cost of construction within the city limits at twenty percent (20%) total cost.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

(Optional-if required) The LPA further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

SECTION IV - Maintenance

Upon completion of the described 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 V - Authority to Sign

The Board President of said Board of Commissioners is hereby empowered on behalf of the Board of Commissioners to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT, the Board President is also empowered to assign all rights, title, and interests of the Board of Commissioners to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Passed: February 7, 20 23
(Date)

Attested: [Signature]
(Clerk)

Casey Kozlowski
(Officer of LPA - title)

Attested: President
(Title)

[Signature]
(President of the Board of Commissioners)

This Resolution 2023-100 is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

CERTIFICATE OF COPY
STATE OF OHIO

The Board of Commissioners of Ashtabula County, Ohio,
(LPA)
Lisa Hawkins, as Clerk of the Board of Commissioners
(LPA)
of Ashtabula County, Ohio, do hereby certify that the forgoing is a true and
correct copy of Resolution No. 2023-100 adopted by the legislative Authority of the said
(Ordinance/Resolution)
Board of Commissioners on the 7th day of February, 20 23
(LPA)

that the publication of such Resolution has been made and certified of
(Ordinance/Resolution)
record according to law; that no proceedings looking to a referendum upon such
Resolution have been taken; and that such Resolution
(Ordinance/Resolution) Page
and certificate of publication thereof are of record in Page
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 31st day of January, 2023.

Lisa Hawkins
Clerk

Board of Commissioners of Ashtabula County, Ohio
(LPA)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the Board of Commissioners of Ashtabula County, Ohio
(LPA)

Attest: Lisa Hawkins Date: February 7, 2023

For the State of Ohio

Attest: [Signature] Date 2/9/23
Director, Ohio Department of Transportation