ORDINANCE 2019 - 102

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW AN AGREEMENT GIVING CONSENT TO THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION FOR PARTICIPATION IN THEIR BRIDGE INSPECTION PROGRAM SERVICES FOR THE YEARS 2020-2022; PID 109334; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent has determined the need for the described project:

Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.

WHEREAS, the City of Kent, hereinafter referred to as the Legislative Authority/Local Public Agency (LPA), wishes to give consent to the Director of Transportation for participation in their Bridge Inspection Program Services; and

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

The State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant’s Scope of Services Task Order Contract (Exhibit “A”); and

WHEREAS, the LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A; and

WHEREAS, the LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations; and

WHEREAS, time is of the essence, requiring passage of this Ordinance on an emergency basis.

NOW, THEREFORE, BE IT ORDEIGNED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Council does hereby authorize the City Manager, or his designee, to enter into an agreement giving consent to the State of Ohio Department of Transportation for participation in their Bridge Inspection Program services for the years 2020-2022, PID No. 109334; said consent attached hereto as Exhibit "A".

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary to expedite the highway project and to promote highway safety for the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.
PASSED: August 21, 2018
Date

EFFECTIVE: August 21, 2018
Date

ATTEST: Dawn Bishop
Interim Clerk of Council

I, DAWN BISHOP, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. ____________, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _________________, 20____.

(SEAL)

_________________________
DAWN BISHOP
INTERIM CLERK OF COUNCIL
PRELIMINARY LEGISLATION
Consent

Rev. 6/26/00

Ordinance/Resolution #:

PID No. : 109334

County/Route/Section :

The following is a/an ______ enacted by the ______ of ______

(Ordinance/Resolution) (Local Public Agency)

County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I – Project Description

WHEREAS, the (LPA) has determined the need for the described project:

Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.

NOW THEREFORE, be it ordained by the ______ of ______ 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 State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant’s Scope of Services Task Order Contract (Exhibit A).

The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the LPA. Starting in October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.

2019-102 Exhibit A
SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

SECTION V Authority to Sign

I, __________________________ of said __________________________ is hereby empowered on behalf of the (Contractual Agent) (LPA)

___________________________ (LPA) to enter into contracts with the Director of Transportation which is necessary to complete the above described project.

Passed: ___________________, 20__.

(Date)

Attested: __________________________

(Clerk) (Contractual Agent of LPA – title)

Attested: __________________________

(Title) (President of Council)

The __________________________ is hereby declared to be an emergency measure to expedite the highway project and (Ordinance/Resolution) 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

_________________ of __________ County, Ohio

(LPA)

I, _________________________, as Clerk of the ____________________________

(LPA)
of ___________________ County, Ohio, do hereby certify that the foregoing is a true and correct copy of

(Ordinance/Resolution)

____________________ on the __________ day of ________________, 2______.

(LPA)

That the publication of such _____________________ has been made and certified of record according to

(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such ______________________ have been taken;

(Ordinance/Resolution)

and that such ______________________ and certificate of publication thereof are of record in ______________________.

(Record No.)

Page ______________________.

(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,
this __________ day of ________________, 2______.

________________________

(Clerk)

(CITY SEAL)

____________________ of __________ County, Ohio

(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.

The foregoing is accepted as a basis for proceeding with the project herein described.
For the __________________ of __________ County, Ohio.

(LPA)

Attested: ______________________ Date ____________________

(Contractual Agent)

For the State of Ohio

Attested: ______________________ Date ____________________

(Director, Ohio Department of Transportation)