

RESOLUTION NO. R23-06

A RESOLUTION BY THE TROTWOOD CITY COUNCIL AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM BRIDGE REPAIRS AS DESCRIBED IN PROJECT ID NO. 108092 IN THE CITY OF TROTWOOD.

WHEREAS, the State of Ohio Department of Transportation (“ODOT”) has identified the need for a project described as bridge repairs, SFN 5704200 MOT SR 49 6.210, Project ID No. 108092, in the City of Trotwood, hereafter referred to as “the Project.”

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TROTWOOD, STATE OF OHIO:

SECTION I: Being in the public interest, the City of Trotwood gives consent to the Director of ODOT to complete the Project, SFN 5704200 MOT SR 49 6.21, Project ID No. 108092.

SECTION II: The City shall cooperate with the Director of ODOT in the Project as follows:

- (a) The State shall assume and bear 100% of all of the costs of the improvement.
- (b) The City agrees to pay 100% of the cost of those features requested by the City which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

SECTION III: The City agrees that all right-of-way required for the Project will be acquired and/or made available in accordance with current State and Federal regulations. The City also understands that right-of-way costs include eligible utility costs.

The City agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CRF 645 and the ODOT Utilities Manual.

SECTION IV:

Upon completion of the Project, and unless otherwise agreed, the City shall (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including but not limited to Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the 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:

The Trotwood City Council authorizes the City Manager to enter into an agreement with the Director of ODOT and take any additional action required to complete the Project.

SECTION VI:

This Resolution shall take effect and be in full force from and after the date of its passage.

Passed this 6th day of February, 2023.

ATTEST:

APPROVED:



KARA B. LANDIS
CLERK OF COUNCIL



MARY A. MCDONALD
MAYOR



YVETTE F. PAGE
VICE-MAYOR

CITY OF TROTWOOD
3035 OLIVE ROAD
TROTWOOD, OHIO 45426

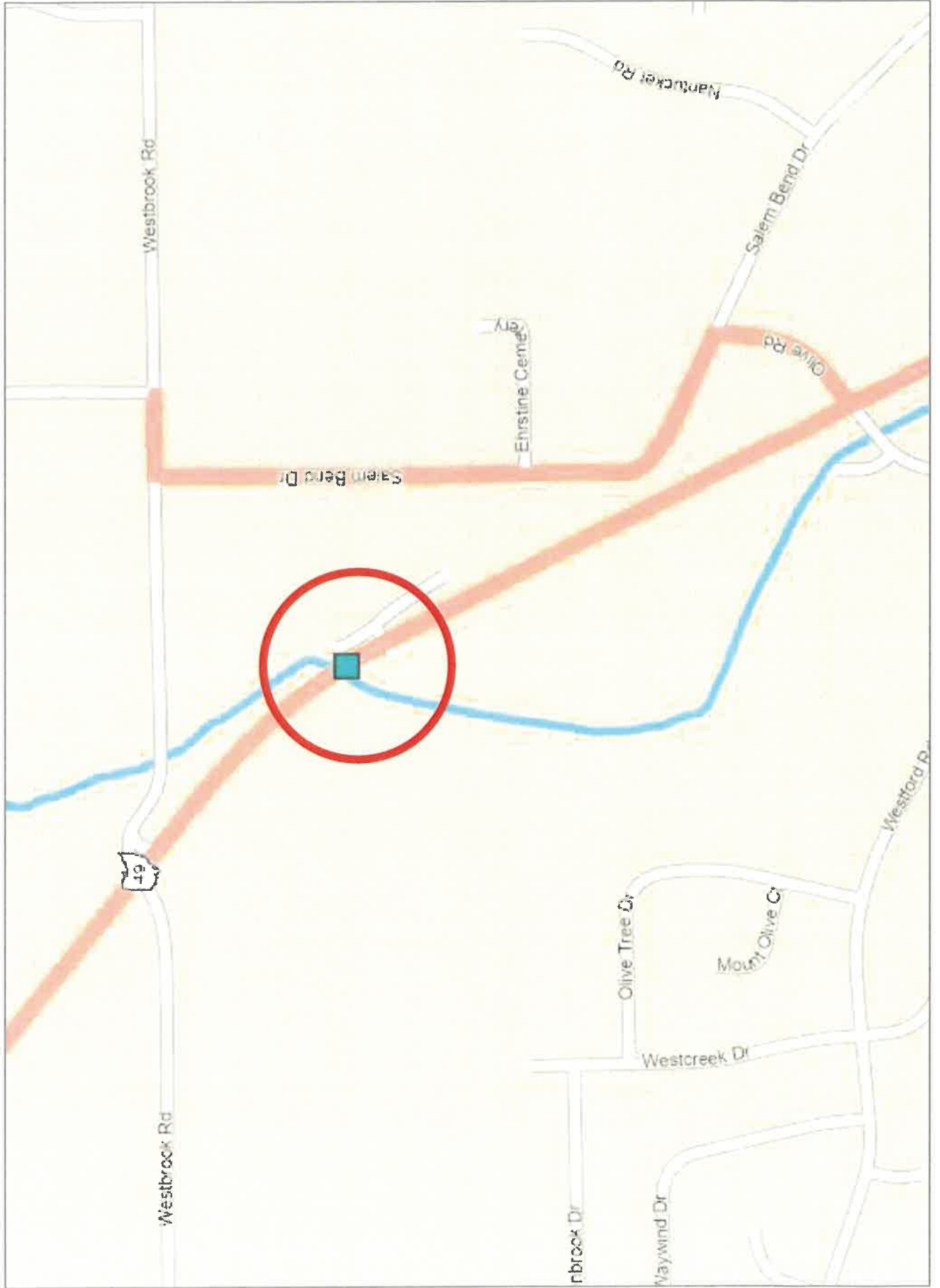
CERTIFICATE OF RECORDING OFFICER

I, the undersigned, hereby certify that the foregoing is a true and correct copy of Resolution No. R23-06 adopted by the Trotwood City Council at a regular scheduled meeting held on the 6th day of February, 2023, and that I am duly authorized to execute this certificate.

Signed this _____ day of _____, _____.

KARA B. LANDIS
CLERK OF COUNCIL

R23-06
Map



PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Resolution No. R23-06
County/Route/Section: MOT-BH-FY24

The following is a **Resolution** enacted by the **City of Trotwood** of **Montgomery** 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:

*This project will conduct bridge repair on various structures in District 7 including SFN 5704200
MOT SR 49 6.210 in the City of Trotwood.*

NOW THEREFORE, be it **resolved** by the **City of Trotwood** of **Montgomery** County, Ohio.

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 II – 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 costs of the improvement.

The LPA agrees to pay 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.

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V – Maintenance

Upon completion of the Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the Project in accordance with all applicable State and Federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, as necessary, for the maintenance of the Project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

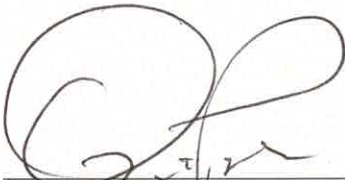
SECTION VI Authority to Sign

I, Quincy E. Pope, Sr., City Manager of said City of Trotwood, is hereby empowered on behalf of the City of Trotwood to enter into contracts with the Director of Transportation which is necessary to complete the above-described project.

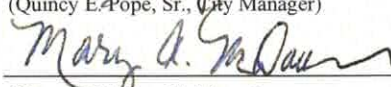
Passed: February 6, 2023
(Date)

Attested: Kara B. Landis
(Clerk of Council)

Attested: Kara B. Landis
(Clerk of Council)



(Quincy E. Pope, Sr., City Manager)



(Mary A. McDonald, Mayor)

Following appropriate legislative action, Resolution R23-06 shall take effect and be in force from and after the date of its passage.

CERTIFICATE OF COPY
STATE OF OHIO

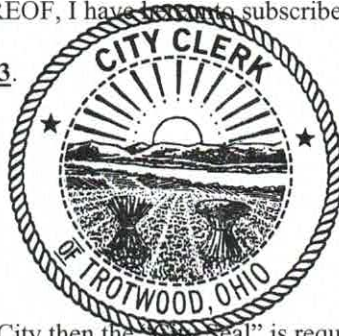
City of Trotwood of Montgomery County, Ohio

I, Kara B. Landis, as Clerk of the City of Trotwood of Montgomery County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution No. R23-06 adopted by the legislative Authority of the said City of Trotwood on the 6th day of February, 2023.

*That the publication of such N/A has been made and certified of record according to Law; that no proceedings looking to a referendum upon such N/A have been taken; and that such N/A and certificate of publication thereof are of record in N/A, Page N/A.

**The Trotwood City Charter does not require publication of Resolutions*

IN WITNESS WHEREOF, I have ~~been~~ subscribed my name and affixed my official seal, if applicable, this 7th day of February, 2023.



(CITY SEAL)

Kara B. Landis
(Clerk of Council)
City of Trotwood of Montgomery County, Ohio

(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 City of Trotwood of Montgomery County, Ohio.

Attested: Kara B. Landis
(Kara B. Landis, Clerk of Council)

Quincy E. Pope, Sr.
(Quincy E. Pope, Sr., City Manager)

Date: February 7, 2023

