

## RESOLUTION NO. 24-2019

A RESOLUTION GRANTING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE REHABILITATION AND OVERLAY OF THE STATE ROUTE 4 BRIDGE OVER STATE ROUTE 63.

WHEREAS, the City of Monroe of Butler County, Ohio, hereinafter referred to as the Local Public Agency (LPA) has determined the need for the within described project.

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

SECTION 1: Being in the public interest, the LPA gives consent to the Director of Transportation to complete the below described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

“Rehabilitating Bridges BUT-4-1580 L/R that carries SR 4 over SR 63. Rehabilitation to include overlaying the bridges, expansion joint replacement abutment bearing replacement, painting, barrier replacement, and fence installation.”

SECTION 2: The LPA shall cooperate with the Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

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 3: The LPA authorizes the City Manager of the City of Monroe to enter into and execute contracts with the Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the City Manager is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the City of Monroe 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.

SECTION 4: 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.

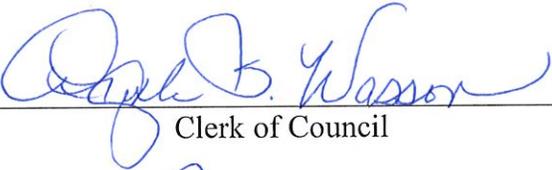
The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION 5:** 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 obstruction; and (4) hold said right-of-way inviolate for public highway purposes.

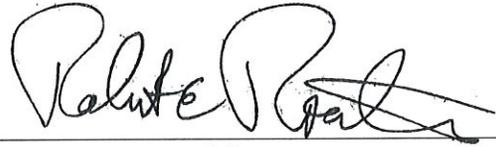
**SECTION 6:** This measure shall take effect from and after the earliest period allowed by law.

PASSED: June 25, 2019

ATTEST:

  
Clerk of Council

APPROVED:

  
Mayor

First Reading: June 11, 2019

"I, the undersigned Clerk of Council of the city of Monroe, Ohio, hereby certify the foregoing (ordinance or resolution) was published as required by Section 7.16 of the Charter of the City of Monroe.

This legislation was enacted in an open meeting pursuant to the terms and provisions of the Sunshine Law, Section 121.22 of the Ohio Revised Code.

  
Clerk of Council  
City of Monroe, Ohio