RESOLUTION NO. 18 , 2010

A RESOLUTION GIVING CONSENT TO THE DIRECTOR OF TRANSPORTATION TO RESURFACE U. S. ROUTE 22 (MONTGOMERY ROAD) BETWEEN SCHOOLHOUSE LANE AND PFEIFFER ROAD THROUGH THE URBAN PAVING PROGRAM

WHEREAS, the following Resolution is enacted by the City of Montgomery, Hamilton County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project; and

WHEREAS, on the 7th day of April 2010, the LPA enacted legislation proposing cooperation with the Director of Transportation for the following described project:

> The proposed work shall include milling existing pavement, intermediate asphalt course, asphalt surface course, new pavement markings, raised pavement markers and loop detectors on U.S. Route 22, lying with the City of Montgomery; and

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

> The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement, less the amount of Federal-aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to assume and bear one hundred percent (100%) of the cost of Preliminary Engineering and Right-of-Way, excluding in-house preliminary engineering and Right-of-Way charges incurred by the State; and

WHEREAS, the share of the cost of the LPA is now estimated in the amount of One Hundred Twenty-Three Thousand One Hundred and 00/100 dollars, ($123,100), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and

expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW THEREFORE, BE IT RESOLVED, by the Council of the City of Montgomery, Ohio:

SECTION 1. The estimated sum of One Hundred Twenty-Three Thousand One Hundred and 00/100 dollars, ($123,100), is hereby appropriated for the improvement described above and the Director of Finance is hereby authorized and directed to issue an order on the treasury for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The City hereby agrees to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

SECTION 2. The LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION 3. The LPA shall enter into a contract with the State, and the City Manager is hereby authorized to execute said contract, providing for the payment by the LPA of the sum of money set forth herein above for improving the described project.

SECTION 4. This Resolution shall be in full force and effect from and after its passage.

PASSED: July 7, 2010

ATTEST: Susan J. Hamm
Susan J. Hamm, Clerk of Council

Gerri Harbison, Mayor

APPROVED AS TO FORM

Terrence M. Donnellon, Law Director