

RESOLUTION NO. 32 , 2014

**A RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO A FINAL AGREEMENT WITH THE OHIO DEPARTMENT OF
TRANSPORTATION FOR THE PROJECT KNOWN AS THE HAM-US 22/SR 3 -15.20
(MONTGOMERY ROAD IMPROVEMENTS) PROJECT,
PID NO. 89182**

WHEREAS, on the 2nd day of November, 2011, the City of Montgomery as the Local Public Agency ("LPA") enacted legislation proposing cooperation with the Director of Transportation for the following described Project:

The project consists of the construction of an additional eastbound turn lane at Pfeiffer Road to northbound Montgomery Road, a northbound turn lane on Montgomery Road into Bethesda North Hospital, install sidewalk along the east side of Montgomery Road, signing and traffic signal modifications, lying within the City of Montgomery; and

WHEREAS, the City as LPA agreed to 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 improvements, less the amount of Federal-aid OKI 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 100% of the cost of Preliminary Engineering and non-federal 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 Three Thousand One Hundred Eighty and 00/100 Dollars (\$103,180.00), 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

expenses 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:

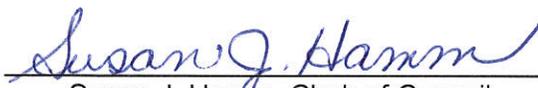
SECTION 1. The City Manager is hereby authorized to execute a final agreement with the State to fund such Project in the estimated sum of One Hundred Three Thousand One Hundred Eighty and 00/100 (\$103,180.00), which has previously been appropriated. The Director of Finance is hereby authorized and directed 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. Further, the City does hereby agree to assume in the first instance, the share of the cost and expenses over and above the amount to be paid from Federal funds.

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

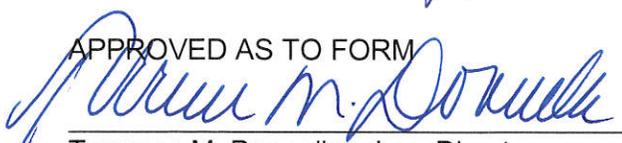
SECTION 3. The Clerk shall transmit to the Director of Transportation a fully executed copy of this Resolution.

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

PASSED: September 3, 2014

ATTEST: 
Susan J. Hamm, Clerk of Council


Todd A. Steinbrink, Mayor

APPROVED AS TO FORM

Terrence M. Donnellan, Law Director