

ORDINANCE C-50-09

A ORDINANCE TO AUTHORIZE THE ADMINISTRATIVE ASSISTANT TO ENTER INTO AN AGREEMENT AND COOPERATE WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF PHASE 3: I-71/S.R. 665 INTERCHANGE AND CORRIDOR IMPROVEMENT AND TO DECLARE AN EMERGENCY

WHEREAS, the City has identified the need for the described project and has actively been coordinating with the Ohio Department of Transportation for the improvements of the SR665 corridor and interchange; and

WHEREAS, this improvement project started as part of a larger study to identify transportation deficiencies and safety problems in the Grove City regional area; and

WHEREAS, the goals and objectives for the overall success of the interchange improvement project include: improved access to I-71, reduction of congestion and improved safety, meeting current design standards and adhere to the overall plan for the area, and identify and implement cost effective measures for funding the project; and

WHEREAS, the City completed Phase 1 of this project in 2008 with the opening of the improved SR665 corridor between North Meadows Drive and Hoover Road; and

WHEREAS, Phase 2 will consist of the relocation of the Haughn Road intersection with SR665 on the east side of the interchange and is scheduled to be design and constructed in 2009; and

WHEREAS, the estimated cost for land acquisition, utility relocation, construction, construction administration and inspection services is \$32,594,000; and

WHEREAS, the City has actively pursued funding from various sources over the past few years to facilitate the construction of the proposed improvements:

Federal Earmarks	\$10,645,000
Ohio Public Works Commission – LTIP	\$4,750,000
Ohio Department of Transportation (ODOT)	\$3,482,000
ODOT Safety Funding	\$5,000,000
Mid Ohio Regional Planning Commission (MORPC)	
Federal Attributable STP Funding	\$4,000,000

WHEREAS, the City would like to advance the project to facilitate the construction of the needed improvements in the year 2010; and

WHEREAS, the I-71/SR665 Interchange and Corridor Improvement project is included in the 2009 Capital Improvement Plan; and

WHEREAS, the Director of Transportation further desires cooperation from the City in the planning, design and construction of said improvement.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF GROVE CITY, STATE OF OHIO, THAT:

SECTION 1. Being in the public interest, the City of Grove City gives consent to the Director of Transportation to complete the above described project.

SECTION 2. The City of Grove City shall cooperate with the Director of Transportation in the above described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director;

The City agrees to assume and bear one hundred percent (100%) of the cost of preliminary engineering.

The City agrees to assume and bear one hundred percent (100%) of the cost of right-of-way and construction less the federal and state funds set aside for the project.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

Upon request of ODOT, the City agrees to repay ODOT the sum of Federal funds used in the right-of-way phase in the event actual construction of the project is not undertaken by the close of the 20th fiscal year following the fiscal year in which the project is authorized for the right-of-way phase.

SECTION 3. The City of Grove City 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. Right-of-way costs include eligible utility costs. The City of Grove City agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION 4. Upon completion of the project, and unless otherwise agreed, the City of Grove 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 resources, 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 5. The City Administrator is hereby empowered and directed on behalf of Grove City to enter into agreements with the Director of Transportation necessary to complete the planning, right-of-way and construction of this improvement.

CERTIFICATE OF COPY
STATE OF OHIO

City of Grove City, Franklin County, Ohio

I, _____, as Clerk of the City of Grove City, Ohio, do hereby certify that the foregoing is a true and correct copy of the Ordinance adopted by the legislative Authority of the said City on the _____ day of _____, 2_____, that the publication of such Ordinance has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Ordinance and certificate of publication thereof are of record in Ordinance Record Number, Page _____ .

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

Clerk

(SEAL)
(If Applicable)

City of Grove City, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Grove City, Ohio

Attest: _____

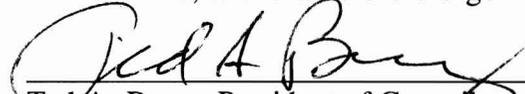
_____, Date _____
Contractual Officer

For the State of Ohio

Attest: _____

_____, Date _____
Director, Ohio Department of Transportation

SECTION 6. This ordinance is hereby declared to be an emergency measure for the health, safety and general welfare of the community in that this project will eliminate safety hazards and traffic congestion at a key interchange and in order to meet aggressive State and Federal timelines, and shall therefore go into immediate effect.



Ted A. Berry, President of Council

Passed: 07-20-09



Richard L. Stage, Mayor

Effective: 07-20-09

Attest:



Tami K. Kelly, MMC, Clerk of Council

I Certify that this ordinance is correct as to form.



Stephen J. Smith, Director of Law