CITY OF HUBBARD, OHIO
RECORD OF ORDINANCES AND RESOLUTIONS

THE FRED PROCTER CO., CINTI, O.

RESOLUTION NO. .....
ORDINANCE NO. 16-26 PASSED September 21 20 26

PRELIMINARY PARTICIPATORY LEGISLATION

RC 5521.01

Ordinance/Resolution# Ordinance 16-26
PID No. 113039
County/Route/Section TRU SR 304/616 5.88/0.62

The following is An Ordinance (An Ordinance/a Resolution) enacted by the Hubbard (Local Public Agency) of Trumbull County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I - Project Description

WHEREAS, the STATE has identified the need for the described project:

Resurfacing of SR 304 from Acacia St to Westview Ave and on SR 616 from McKinley Rd to Liberty St in the City of Hubbard.

NOW, THEREFORE, be it ordained by the Hubbard (LPA) of Trumbull 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 III - Cooperation Statement

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

The LPA agrees to participate in the cost of resurfacing within the City limits at Twenty Percent (20%) total cost and One Hundred Percent (100%) for full and partial depth pavement repairs.

The LPA further agrees to pay One Hundred Percent (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.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

The LPA further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

SECTION IV - Maintenance

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

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SECTION V - Authority to Sign

The Mayor (Contractual Agent) of said Hubbard (LPA) is hereby empowered on behalf of the Hubbard (LPA) to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT, the Mayor (Contractual Agent) is also empowered to assign all rights, title, and interests of the Hubbard (LPA) 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.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist DOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Passed: SEPTEMBER 21, 20 26 (Date)

Attested: Carrie Brown (Clerk)

(Officer of LPA - title)

Attested: (Title) CAL

(President of Council)

This Ordinance (Ordinance/Resolution) is hereby declared to be an emergency measure to expedite the highway project(s) and to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

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CERTIFICATE OF COPY
STATE OF OHIO

Hubbard (LPA) of Trumbull County, Ohio,

Lorrie Brown, as Clerk of the Hubbard (LPA)

of Trumbull County, Ohio, do hereby certify that the forgoing is a true and correct copy of The Ordinance (Ordinance/Resolution) adopted by the legislative Authority of the said Hubbard (LPA) on the 21ST day of SEPTEMBER, 20 26 that the publication of such Ordinance 16-26 (Ordinance/Resolution) has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance 16-26 (Ordinance/Resolution) have been taken; and that such Ordinance 16-26 (Ordinance/Resolution) and certificate of publication thereof are of record in _____ (Ordinance/Resolution Record No.) Page _____

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 21ST day of SEPTEMBER 20 26

CITY SEAL

Lorrie Brown
Clerk

Hubbard (LPA) of Trumbull 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 Hubbard (LPA) of Trumbull County, Ohio