

RESOLUTION NO.: 2022-R66
SPONSOR: MAYOR NEUGEBAUER
INTRODUCED: NOVEMBER 8, 2022 **ASSIGNED TO:** _____

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR BRIDGE INSPECTION PROGRAM SERVICES, LOCATED IN THE CITY OF GREEN, AND DECLARING AN EMERGENCY.

WHEREAS, the public interest of the City of Green (“City”) requires the regular inspection and maintenance of bridges located within the City; and, the City intends to perform routine and regular inspection and maintenance of its bridges; and

WHEREAS, as a result of passage of Resolution 2019-R19, it is necessary for the City to assume responsibility of eight (8) bridges that was formerly the responsibility of Summit County; and

WHEREAS, the Bridge Inspection Program Services include, but are not limited to, routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limit posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed; and

WHEREAS, the City of Green has determined the need for the described Project; and

WHEREAS, Green City Council has determined by reviewing all pertinent information that authorizing the Mayor to enter into the aforementioned Agreement with the Ohio Department of Transportation (“ODOT”) is necessary and in the best interest of the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF GREEN, COUNTY OF SUMMIT AND STATE OF OHIO, THAT:

SECTION ONE:

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described Project.

SECTION TWO:

The City shall cooperate with the Director of Transportation in the above described Project as follows:

The State shall assume and bear 100% of all of the cost for the Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant’s Scope of Services Task Order Contract, a copy of which is attached hereto and incorporated as Exhibit “A”.

The City agrees to pay 100% of the cost of those features which are not included in Exhibit “A”. Those features may include, but not limited to, the purchasing and erecting the

recommended weight limit postings signs, the implementation of critical findings reports, such as partial or total bridge closures, and the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the City. Starting in October 2019, FHWA requires installing weight limit posting signs within thirty (30) days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.

SECTION THREE:

The City agrees that all right-of-way required for the described Project will be made available in accordance with current State and Federal regulations.

SECTION FOUR:

The Project is based on the available funds provided by ODOT aimed at assisting the LPA in reaching compliance with State and Federal laws and policies for bridge inspection. The Project specifics (program duration, PID number, and consultant scope of services (Exhibit A)) shall be provided to the designated LPA Contractual Agent via email sent by ODOT Office of Structural Engineering (OSE).

ODOT will seek additional funds to renew the project in future years. If such funds are allocated, ODOT will send an email with the Project specifics to the designated LPA Contractual Agent seeking approval for the new Project. ODOT will not proceed with any Project that does not have written authorization via email from the designated LPA Contractual Agent.

SECTION FIVE:

The City of Green finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in open meetings of this Council and any deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements.

SECTION SIX:

Council declares this to be an emergency immediately necessary for the preservation of the public peace, health, safety and welfare of the citizens of Green and for the further reason to permit the Project to proceed immediately. Provided that this legislation receives the affirmative vote of three-fourths (¾ths) of the members elected or appointed to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise, it shall take effect and be in force at the earliest time allowed by law.

ADOPTED: _____, 2022

Nichole Messner, Clerk of Council

Dave France, Council President

Page 3
Resolution 2022-R66

APPROVED: _____, 2022

Gerard M. Neugebauer, Mayor

ENACTED EFFECTIVE: _____, 2022

ON ROLL CALL: Babbitt _____ Brandenburg _____ DeVitis _____ France _____
 Noble _____ Meager _____ Yeargin _____

Southside Leader publication on _____ and _____

Nichole Messner, Clerk of Council

11/3/22 Approved as to form and content by Lisa Carey Dean, Law Director _____