

A RESOLUTION BY THE CITY OF UHRICHSVILLE AUTHORIZING THE MAYOR TO PREPARE AND EXECUTE AN APPLICATION FOR TRANSPORTATION ALTERNATIVE PROGRAM THROUGH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION FOR THE EASTPORT AVENUE STORM SEWER IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY AND BE IN FORCE IMMEDIATELY UPON ITS PASSAGE TO MEET THE TRANSPORTATION ALTERNATIVE PROGRAM DEADLINE.

The following is a Resolution enacted by the City of Uhrichsville of Tuscarawas County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

WHEREAS, the United States Congress has set aside monies for Transportation Alternative Program (TAP) Projects through the State of Ohio, Department of Transportation (ODOT); and

WHEREAS, LPAs can apply for these monies and be selected for funding by ODOT; and

WHEREAS, the Eastport Avenue Storm Sewer Improvement Project is a transportation activity eligible to receive federal funding; and

WHEREAS, if requested funds are granted, the City shall be responsible for at least twenty (20%) percent of the construction costs, and for 100% of all other costs associated with the architecture/engineering plans, environmental studies and documentation, right-of-way plans, and right-of-way acquisition, if necessary.

NOW, THEREFORE BE IT RESOLVED by Council of the City of Uhrichsville, State of Ohio, that:

SECTION ONE: The Mayor of said LPA is hereby empowered on behalf of the LPA to prepare and execute an application for TAP funds for the stated described project and to submit same to the ODOT.

SECTION TWO: The total project cost is currently estimated to be \$1,650,000, but only (\$465,000 ODOT is eligible for TAP funding), of which the LPA, if awarded the funds, commits to pay at least twenty (20%) percent (hereinafter known as the local portion) of the actual construction cost eligible for ODOT TAP funding, currently estimated to be \$93,000. The local portion shall be funded by the LPA using the Storm Sewer Assessment Fund, Ohio Public Works Commission, Appalachian Regional Commission, Water Pollution Control Loan Fund and CDBG money. The LPA further agrees to pay One Hundred Percent (100%) of the construction cost over and above the maximum amount provided by the ODOT and for all costs associated with design, environmental and right-of-way activities.

SECTION THREE: 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 laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

SECTION FOUR: If the application is approved for the funding the Mayor of said LPA is hereby empowered on behalf of the LPA to enter into a contract with the Director of the Ohio Department of Transportation necessary to complete the above described project.

Passed: April 24, 2014.
(Date)

Attested: Amy Myers
Amy Myers, Clerk of Council

Terry Culbertson
Terry Culbertson, Mayor

Attested: Mark Haney
Mark Haney, President of Council

BT reading 4-10-14