

**PRELIMINARY PARTICIPATORY LEGISLATION**

RC 5521.01

Resolution#

175-21

PID No. 106266

County/Route/Section MAD-56/38-6.20/13.15

The following is a Resolution enacted by the City of London of Madison 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:

Urban paving resurfacing project and culvert replacement along SR38 and SR56 along with other associated work within the City of London.

NOW, THEREFORE, be it ordained by the City of London (LPA) of Madison 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 20% of the cost of pavement surface related construction items, 100% of the cost of pavement repairs within the City limits, and 50% of the cost to complete the culvert replacement.

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.

(Optional-if required) 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.

**SECTION V - Authority to Sign**

The Safety Service Director of said City of London is hereby empowered on behalf of the City of London (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 Safety Service Director is also empowered to assign all rights, title, and interests of the City of London 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 ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

Passed: \_\_\_\_\_, 20  
(Date)

Attested: \_\_\_\_\_  
Clerk

\_\_\_\_\_  
Officer of LPA

\_\_\_\_\_  
Title

\_\_\_\_\_  
President of Council

  
**Approved as to form by  
City Law Director  
Jennifer J. Hitt**

This 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.

CERTIFICATE OF COPY STATE OF OHIO

City of London of Madison County, Ohio,

(LPA)

Amy Rees, as Clerk of the City of London

(LPA) of

Madison County, Ohio, do hereby certify that the forgoing is a true and correct copy of Resolution adopted by the legislative Authority of the said City of London on the day of , 20

(LPA)

that the publication of such Resolution has been made and certified of record according to law; that no proceedings looking to a referendum upon such Resolution have been taken; and that such Resolution

and certificate of publication thereof are of record in Page (Ordinance/Resolution Record No.)

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

CITY SEAL

Clerk

City of London of Madison County, Ohio

(LPA)

(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 City of London of Madison County, Ohio

\_\_\_\_\_  
(LPA)

Attest: \_\_\_\_\_, Date \_\_\_\_\_

\*\*\*\*\*

For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_

\_\_\_\_\_  
Director, Ohio Department of Transportation

CERTIFICATE OF COPY  
STATE OF OHIO

\_\_\_\_\_  
City of London of \_\_\_\_\_ Madison \_\_\_\_\_ County, Ohio,  
(LPA)

\_\_\_\_\_, as Clerk of the \_\_\_\_\_ City of London  
(LPA)

of \_\_\_\_\_ Madison \_\_\_\_\_ County, Ohio, do hereby certify that the forgoing is a true and  
correct copy of \_\_\_\_\_ adopted by the legislative Authority of the said  
(Ordinance/Resolution)

\_\_\_\_\_ City of London \_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_  
(LPA)

that the publication of such \_\_\_\_\_ has been made and certified of  
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such  
\_\_\_\_\_ have been taken; and that such \_\_\_\_\_

(Ordinance/Resolution) \_\_\_\_\_ (Ordinance/Resolution)

and certificate of publication thereof are of record in \_\_\_\_\_ Page \_\_\_\_\_  
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if  
applicable, this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

CITY SEAL

\_\_\_\_\_  
Clerk

\_\_\_\_\_ City of London \_\_\_\_\_ of \_\_\_\_\_ Madison \_\_\_\_\_ County, Ohio  
(LPA)

(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 \_\_\_\_\_ City of London \_\_\_\_\_ of \_\_\_\_\_ Madison \_\_\_\_\_ County, Ohio  
(LPA)

Attest: \_\_\_\_\_, Date \_\_\_\_\_

\*\*\*\*\*

For the State of Ohio

Attest: \_\_\_\_\_, Date \_\_\_\_\_

Director, Ohio Department of Transportation



OHIO DEPARTMENT OF TRANSPORTATION  
Mike DeWine, Governor

Jack Marchbanks, Ph.D., Director

**District 6**  
400 E. William St., Delaware, OH 43015  
740-833-8000  
transportation.ohio.gov

June 15, 2021

Joseph D. Mosier  
Safety-Service Director  
City of London  
6 East 2nd St.  
London, Ohio 43140

**RE: Preliminary Participatory Legislation  
MAD-56/38-6.20/13.15, PID 106266**

Dear Mr. Mosier:

Enclosed is a sample preliminary participatory legislation document for an upcoming ODOT resurfacing project and culvert replacement along SR38 and SR56 along with other associated work within the City of London. Tentatively, the construction work will begin during the summer of 2022.

If you have questions regarding the estimates or scope for this project, please contact Katie Montoya ([Katherine.Montoya@dot.ohio.gov](mailto:Katherine.Montoya@dot.ohio.gov)).

After your preparation and approval of the legislation document, please forward it to the Council for their necessary action. After the legislation has been executed, please return an electronic copy to my email address (below).

In order to assure that project development proceeds in a timely manner, the legislation will need to be fully executed and returned to this office prior to November 15, 2021. If you have any questions, please feel free to contact me at 614-357-5430 or via e-mail at [kelsey.vandia@dot.ohio.gov](mailto:kelsey.vandia@dot.ohio.gov).

Respectfully,

A handwritten signature in cursive script that reads "Kelsey Vandia".

Kelsey Vandia  
Local-Let Project Manager  
ODOT D6 Planning & Engineering

Attachments\*

C: Legislation file\*, B. Davidson\*, D. Poling\*