

PRELIMINARY LEGISLATION
RC 5521.01
Village of New Concord – Ordinance No. G-5-11-1

PID No.	<u>90877</u>
CRS	<u>MUS-SRTS New Concord</u>

The following is an ordinance enacted by the Village of New Concord of Muskingum County, Ohio hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project.

SECTION I - Project Description

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

Construction of new sidewalks, crosswalks and upgraded signalized intersections with the installation of ped buttons & signal heads.

NOW THEREFORE, be it ordained by the Village of New Concord, 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 does hereby propose to assume and contribute the entire cost and expense of the improvement less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The LPA agrees to bear one hundred percent (100%) of the cost of the following:

- (1) Rights-of-way
- (2) Cost of all features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.
- (3) All cost above the approved dollar amount provided through Safe Routes to School funding

The maximum dollar amount approved through the Safe Routes to School Program is \$290,000 at one hundred percent (100%) funding.

SECTION IV - Utilities and Right-of-Way Statement

The LPA 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. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V - 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.

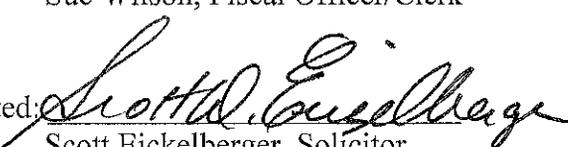
SECTION VI - Consultants and Authority to Sign

The Village Administrator of said Village of New Concord is hereby empowered on behalf of the Village of New Concord to enter into agreements with the Director of Transportation necessary to complete the above described project.

Passed: May 9, 2011

Attested: 
Sue Wilson, Fiscal Officer/Clerk


R. Gregory Adams, Mayor

Attested: 
Scott Eickelberger, Solicitor


Al Chaffee, President of Council

Following appropriate legislative action, Ordinance No. G-5-11-1 shall take effect and be in force after the earliest period allowed by law.