

DATE: MARCH 7, 2011

CLERK: MARY BETH BAILEY

MASSILLON CITY COUNCIL
CITY OF MASSILLON, OHIO
GLENN E. GAMBER, PRESIDENT

COUNCIL CHAMBERS

LEGISLATIVE DEPARTMENT

ORDINANCE NO. 35 - 2011

BY: STREET, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE

TITLE: AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to sign a LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation for improvements to the intersections of SR 241 (Erie Street) and Tremont Avenue and SR 172 (Lincoln Way East) and 27th Street/Jackson Avenue, and declaring an emergency.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF MASSILLON, STATE OF OHIO, THAT:

Section 1:

The Council of the City of Massillon, Ohio, hereby finds that it is necessary to sign a LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation for improvements to the intersections of SR 241 (Erie Street) and Tremont Avenue and SR 172 (Lincoln Way East) and 27th Street/Jackson Avenue.

Section 2:

The Director of Public Service and Safety of the City of Massillon, Ohio, is hereby authorized to sign LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation for improvements to the intersections of SR 241 (Erie Street) and Tremont Avenue and SR 172 (Lincoln Way East) and 27th Street/Jackson Avenue.

Section 3:

This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety, and welfare of the community, and for the reason that it is necessary to sign a LPA Federal Local-Let Project Agreement with Ohio Department of Transportation so as to proceed with the improvements to the intersections of SR 241 (Erie Street) and Tremont Avenue and SR 172 (Lincoln Way East) and 27th Street/Jackson Avenue Project. Provided it receives the affirmative vote of two-thirds of the elected members 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 from and after the earliest period allowed by law.

PASSED IN COUNCIL THIS 7th DAY OF March 2011

APPROVED: Mary Beth Bailey
MARY BETH BAILEY, CLERK OF COUNCIL

Glenn E. Gamber
GLENN E. GAMBER, PRESIDENT

APPROVED: March 8, 2011
FRANCIS H. CICCHINELLI, JR., MAYOR

I hereby certify that the foregoing ordinance
is a true copy of the original, as passed by
the Council of the City of Massillon, Ohio,
and approved as noted thereon:

Mary Beth Bailey
Clerk of Council
Date 3/7/11

AGREEMENT AMENDMENT

Agreement No. 21647 is revised as follows. This Agreement Amendment will be inserted into the original agreement under the existing terms and conditions.

3. FUNDING

- 3.1 The total cost for the PROJECT is estimated to be \$ 591,400 as set forth in Attachment 1. ODOT shall provide to the LPA safety funds for eligible costs associated with:

PE at a rate of 90%, up to a maximum of \$48,600

Right-of-way at a rate of 90% up to a maximum of \$54,000

Construction costs, at a rate of 90%, up to a maximum of \$162,360, and

Construction costs for eligible signal items, at a rate of 100%, up to a maximum of \$297,000.

- 3.2 The LPA shall provide all other financial resources necessary to fully complete the PROJECT, including all cost overruns and contractor claims.

81897
PID NUMBER

21647
AGREEMENT NUMBER

SIGNATURES

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be duly executed in duplicate as of the day and year first above written.

LPA

By: _____ Date: _____

ODOT

By: _____ Date: _____
Jerry Wray
Director

STA-SR241-8.04
COUNTY-ROUTE-SECTION

81897
PID NUMBER

21647
AGREEMENT NUMBER

ATTACHMENT 1-
SOURCES and USES of FUNDS

USES	LPA FUNDS			FEDERAL FUNDS			FUNDS		
	amount	%	SAC	amount	%	SAC	amount	%	SAC
PE Preliminary develop; environ clearance	\$0			\$0			\$0		\$0
PE final design; construction plans and specs	\$5,400			\$0			\$48,600	90	4BC7
ACQUISITION OF RIGHT OF WAY & UTILITY RELOCATION	\$6,000	10	LNTD	\$0			\$54,000	90	4BC7
ADVERTISING, COMPETITIVE BIDDING & CONTRACT AWARD	\$0			\$0			\$0		\$0
CONSTRUCTION fund source	\$0			\$270,000	100	4HJ7	\$0		\$286,400
Const. admin, mat'l testing & inspection	\$0			\$27,000	100	4HJ7	\$0		\$28,640
CONSTRUCTION fund source	\$16,400	10	LNTD	\$147,600	90	4HJ7	\$0		\$147,600
Const. admin, mat'l testing & inspection	\$1,640	10	LNTD	\$14,760	90	4HJ7	\$0		\$14,760
CONSTRUCTION fund source	\$0			\$0			\$0		\$0
Const. admin, mat'l testing & inspection	\$0			\$0			\$0		\$0
CONSTRUCTION fund source 4 local	\$0			\$0			\$0		\$0
Const. admin, mat'l testing & inspection	\$0			\$0			\$0		\$0
	\$29,440	\$0	\$0	\$459,360	\$0	\$0	\$102,600	0	\$591,400

With the exception of 'FHWA' or 'State' funds, figures in table represent ESTIMATES only.
Construction inspection costs are estimated at 10% of construction cost.