

# CITY OF OBERLIN, OHIO

## ORDINANCE No. 24-09 AC CMS

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A LPA FEDERAL LOCAL LET PROJECT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE REPLACEMENT OF THE EXISTING SOUTH PLEASANT STREET BRIDGE OVER PLUM CREEK IN THE CITY OF OBERLIN, OHIO, ODOT PID 115995AS AN EMERGENCY MEASURE

WHEREAS, the National Transportation Act has made available certain federal funding for use by local public agencies (LPA); and

WHEREAS, The Federal Highway Administration (FHWA) has designated the Ohio Department of Transportation (ODOT) as the agency in Ohio to administer FHWA's federal funding programs; and

WHEREAS, Section 5501.03(D) of the Ohio Revised Code provides that ODOT may coordinate its activities and enter into contracts with other appropriate public authorities to administer the design, qualification of bidders, competitive bid letting, construction, inspection and acceptance of any projects administered by ODOT, provided the administration of such projects is performed in accordance with all applicable Federal and State laws and regulations, with oversight by ODOT; and

WHEREAS, the replacement of the existing South Pleasant St. bridge over Plum Creek in the City of Oberlin is a transportation activity eligible to received Federal funding.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Oberlin, County of Lorain, State of Ohio:

SECTION 1. That the City Manager is hereby authorized and directed to enter into the LPA Federal Local-Let Project Agreement, attached hereto and incorporated herein by reference, with the Ohio Department of Transportation for the replacement of the existing South Pleasant St. bridge over Plum Creek, ODOT PID 115995.

SECTION 2. That ODOT shall provide 95 percent of the eligible costs up to a maximum of \$818,340.00 and that the City of Oberlin shall provide all other financial resources necessary to fully complete the Project.

SECTION 3. It is hereby found and determined that all formal actions of this Council concerning or relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the City of Oberlin, Ohio or to provide for the usual daily operation of a municipal department, to wit: to provide timely authorization for said LPA Federal Local-Let Project Agreement with the Ohio Department of Transportation and provided that it is elevated to emergency status by the affirmative vote of at least five members of Council and receives the affirmative vote of at least five members of Council upon final passage, it shall go into full force and effect from and immediately after its passage; otherwise, it shall take effect on the earliest date allowed by law.

PASSED: 1st Reading: February 20, 2024

2nd Reading:

3rd Reading:

ATTEST:

  
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BELINDA B. ANDERSON, MMC  
CLERK OF COUNCIL

  
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EBONI A. JOHNSON  
PRESIDENT OF COUNCIL

POSTED: 02/21/2024

EFFECTIVE DATE: 02/20/2024