

RESOLUTION NO. 2024-35

A RESOLUTION AUTHORIZING THE DIRECTOR OF  
ADMINISTRATION TO ENTER INTO A COOPERATIVE AGREEMENT  
WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR  
CONSTRUCTION OF A ROUNDABOUT AT THE INTERSECTION OF  
SR-585 AND GEYERS CHAPEL ROAD WITHIN THE CITY OF  
WOOSTER, AND ALLOWING FOR IMMEDIATE ENACTMENT

**PRELIMINARY LEGISLATION**

Ordinance/Resolution No. **2024-35**

PID No. **118336**

Project Name: **WAY SR 0585 02.73**

The following Res. No. 2024-35 enacted by the City of Wooster of Wayne County,  
(Ordinance/Resolution)  
Ohio, hereinafter referred to as the City, in the matter of the stated described project.

**SECTION I - Project Description**

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

Convert two-way stop-controlled intersection into single-lane roundabout at SR-585 and Geyers Chapel Rd (TR-68)

NOW THEREFORE, be it ordained by the City of Wooster of Wayne County, Ohio.

**SECTION II - Consent Statement**

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

**SECTION III - Cooperation Statement**

The City shall cooperate with the Director of Transportation, for the portion of this project within the Wooster Corporation limit, as follows:

- 1) *ODOT agrees to assume and bear one hundred percent (100%) of the preliminary engineering costs, and environmental studies costs.*
- 2) *ODOT agrees to assume and bear one hundred percent (100%) of the roadway construction and construction engineering costs with the following exceptions;*
- 3) *The City agrees to assume and bear one hundred percent (100%) of the construction costs for using thermoplastic markings to restripe auxiliary markings within the project area;*

**SECTION III - Cooperation Statement continued.**

- 4) *ODOT agrees to assume and bear one hundred percent (100%) of the bridge related costs.*
- 5) *A preliminary cost estimate for the City's share of this project is \$0 for construction costs.*

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.

**SECTION IV - Maintenance**

Upon completion of the described Project, and unless otherwise agreed, the City shall:

- 1) Provide adequate maintenance for the described Project in accordance with all applicable state and federal law;
- 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 hold said right-of-way inviolate for public highway purposes.

**SECTION V - Utilities and Right-of-Way Statement**

If City owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the City will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual. If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

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**SECTION V - Authority to Sign**

The Director of Administration of said City of Wooster is hereby empowered on  
(Contractual Agent) (LPA)  
behalf of the City of Wooster to enter into contracts with ODOT pre-qualified consultants  
(LPA)  
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 Director of Administration is also empowered to assign all rights,  
(Contractual Agent)  
title, and interests of the City of Wooster to ODOT arising from any agreement with its  
(LPA)  
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: May 20, 2024

Vote: 7-0  
[Signature]  
President of Council

Attest: Amy Hamilton  
Clerk of Council

Approved: May 21, 2024

[Signature]  
Mayor

This Res No. 2024-35 is hereby declared to be an emergency measure to  
(Ordinance/Resolution)  
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.

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CERTIFICATE OF COPY  
STATE OF OHIO  
City of Wooster of Wayne County, Ohio

I, Amy Hamilton, as Clerk of the City of Wooster of Wayne County, Ohio,

Do hereby certify that the foregoing is a true and correct copy of Res No. 2024-35 adopted by  
(Ordinance/Resolution)  
the legislative Authority of the said City of Wooster on this 21<sup>st</sup> day of May, 2024,  
that the publication of such Res No. 2024-35 has been made and certified of record according  
(Ordinance/Resolution)  
to law; that no proceedings looking to a referendum upon such Res No. 2024-35 have been  
(Ordinance/Resolution)  
taken; and that such Res No. 2024-35 and certificate of publication thereof are of record in  
(Ordinance/Resolution)  
Res No. 2024-35.  
(Ordinance/Resolution)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official  
seal, if applicable, this 21<sup>st</sup> day of May, 2024,

Amy Hamilton  
Clerk Signature

(SEAL)  
(If Applicable)

City of Wooster of Wayne County, Ohio.

The foregoing is accepted as a basis for proceeding with the project herein described.

For the City of Wooster of Wayne County, Ohio

Attest: Amy Hamilton

[Signature]  
Contractual Officer

Date 5-22-2024

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For the State of Ohio

Attest: \_\_\_\_\_

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