

**RESOLUTION NO. 61-2022**

**INTRODUCED BY: Mayor James Graven and Council as a Whole**

**AN ORDINANCE AUTHORIZING THE CITY TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE MUNICIPAL BRIDGE INSPECTION PROGRAM, AND DECLARING AN EMERGENCY**

**WHEREAS**, this ordinance will be enacted by the City of Olmsted Falls, Cuyahoga County, Ohio, hereinafter referred to as the Local Public Agency (LPA), and Ohio Department of Transportation (ODOT) to participate in the Municipal Bridge Inspection Program Bridge Inspection Services, including, but not limited to routine inspections, element level inspections, critical findings report, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed; and

**WHEREAS**, it is deemed to be in the public interest, for the LPA to give consent to the Director of Transportation to complete the above described project, without any direct cost to the LPA. Now therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF OLMSTED FALLS, COUNTY OF CUYAHOGA, OHIO, THAT:**

**SECTION 1.** The Mayor or his designee is hereby authorized to enter into agreements with the Director of Transportation necessary to complete the above described project.

**SECTION 2.** The LPA shall cooperate with the Director of Transportation in the above-described project as follows:

The State shall assume and bear 100% of all the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).

The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the municipality As of October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.

**SECTION 3 - Utilities and Right-of-Way Statement**

The LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

**SECTION 4 - Project Duration and Consent Applicability**

The Project is based on the available funds provided by ODOT aimed at assisting the LPA in reaching compliance with State and Federal laws and policies for bridge inspection. The Project specifics (program duration, PID number, and consultant scope of services (Exhibit A)) shall be provided to the designated LPA Contractual Agent via email sent by ODOT Office of Structural Engineering (OSE).

ODOT will seek additional funds to renew the project in future years. If such funds are allocated, ODOT will send an email with the Project specifics to the designated LPA Contractual Agent seeking approval for the new Project. ODOT will not proceed with any Project that does not have written authorization via email from the designated LPA Contractual Agent.

**SECTION 5. - Authorization of Project**

The Mayor or his designee of Olmsted Falls is hereby empowered on behalf of the City of Olmsted Falls to provide written authorization via email to the Director of Transportation to complete the above-described project and any renewals.

**SECTION 6.** The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

**SECTION 7.** This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of the City of Olmsted Falls for the reason that the current Municipal Bridge Inspection Program expires on 12/31/2022. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

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*Paul Stibich, Council President*

PASSED: \_\_\_\_\_

APPROVED: \_\_\_\_\_

*James Graven, Mayor*

\_\_\_\_\_  
*Date*

APPROVED AS TO FORM: \_\_\_\_\_  
*Andrew D. Bemer, Director of Law*

ATTEST: \_\_\_\_\_  
*Angela Mancini, Clerk of Council*

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

|           | Yea   | Nay   |
|-----------|-------|-------|
| Munteanu  | _____ | _____ |
| Chitester | _____ | _____ |
| Jones     | _____ | _____ |
| McFadden  | _____ | _____ |
| Wolanin   | _____ | _____ |
| Buchholz  | _____ | _____ |
| Saari     | _____ | _____ |