

**CONSENT LEGISLATION**

Rev. 6/26/00

**Resolution Number 22-20**  
**PID Number 111195**  
**D06 City NHS Guardrail Upgrade**

The following is a Resolution enacted by the Village of Plain City, Madison 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:

This project proposes to replace/upgrade guardrail end assemblies on US 42 within the Village limits, as part of the project PID 111195, D06 City NHS Guardrail Upgrade.

NOW THEREFORE, be it ordained by the Village of Plain City, 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 Village hereby agrees to cooperate with the Director of Transportation of the State of Ohio in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director;

ODOT agrees to assume and bear the costs of preliminary engineering, right-of-way, and construction by administering Federal and State funds for this project.

The Village agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the Village which are not necessary for the improvement as determined by the State and Federal Highway Administration.

**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. Right-of-way costs include eligible utility costs. ODOT agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION V - Maintenance**

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the 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 - Authority to Sign**

The Mayor of said Village is hereby empowered on behalf of the Village of Plain City to enter into contracts with the Director of Transportation necessary to complete the above described project.

Passed: September 28, 2020  
(Date)

Attested: Renee Sonnell  
(Clerk)

Jody Carney  
(Mayor)

Attested: \_\_\_\_\_  
(Title)

\_\_\_\_\_  
(President of Council)

This Resolution is hereby declared to be an emergency measure to 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.

CERTIFICATE OF COPY  
STATE OF OHIO

Village of Plain City , Madison County,, Ohio

I, RENEE SONNETT, as Clerk of the Village of Plain City, Ohio, do hereby certify that the foregoing is a true and correct copy of the Resolution adopted by the legislative Authority of the said Village on the 28th day of September, 2020, that the publication of such Resolution has been made and certified of record according to law; that no proceedings looking to a referendum upon such Ordinance have been taken; and that such Resolution and certificate of publication thereof are of record in Resolution Record Number, Page \_\_\_\_\_.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 30th day of September, 2020.

Renee Sonnett  
Clerk

(SEAL)  
(If Applicable)

Village of Plain City, Ohio.

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

For the Village of Plain City, Ohio

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

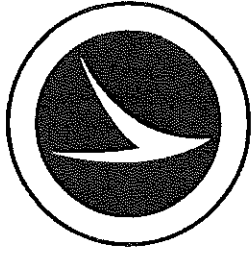
Matthew E. Cahall, Date 9-30-2020  
Contractual Officer

\*\*\*\*\*

For the State of Ohio

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

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



OHIO DEPARTMENT OF TRANSPORTATION  
Mike DeWine, *Governor*  
Jack Marchbanks, Ph.D., *Director*

**District 6**  
400 E. William St., Delaware, OH 43015  
740-833-8000  
transportation.ohio.gov

August 18, 2020

Nathan Cahall  
Village Administrator  
The Village of Plain City  
213 South Chillicothe Street  
Plain City, Ohio 43064

**RE: Consent Legislation**  
**D06 City NHS Guardrail Upgrade, PID 111195**

Dear Mr. Cahall:

Enclosed is consent legislation to allow ODOT's contractor to perform work to replace/upgrade guardrail end assemblies on US 42 within the Village of Plain City. Tentatively, the construction work will be performed during the spring of 2021.

After your preparation and approval of the legislation document, please forward it to the Council for their necessary action. After the legislation has been executed, please return an electronic copy of the executed legislation to my email address (below).

In order to assure that project development proceeds in a timely manner, the legislation will need to be fully executed and returned to this office prior to December 1, 2020. If you have any questions, please feel free to contact me at 614-357-5430 or via e-mail at [kelsey.vandia@dot.ohio.gov](mailto:kelsey.vandia@dot.ohio.gov).

Respectfully,

Kelsey Vandia  
Local-Let Project Manager  
ODOT D6 Planning & Engineering

Attachments\*

C: Legislation file\*, R. Wagner\*, B. Davidson\*, R. McNeill\*, K. Fiant\*