



ORD-0042-2024
EXHIBIT A
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

May 22, 2024

Brian Kennedy
City of Gahanna
200 S. Hamilton Rd.
Gahanna, Ohio 43230

**RE: Preliminary Participatory Legislation
FRA-317-16.72-18.52, PID 108154**

Dear Mr. Kennedy:

Enclosed is a sample preliminary participatory legislation document for an upcoming Urban Paving Project including asphalt concrete overlay, with minor pavement repair, on SR317 from the railroad bridge until the 270 Southbound ramp, and again after the US270 North ramp onto SR317 to east of Lincoln Circle. The bridge over the railroad and Rocky Fork Creek will receive deck sealing and upgrading of guardrail. Tentatively, the construction work will begin during the Spring of 2025.

If you have questions regarding the estimates or scope for this project, please contact David Poling (David.Poling@dot.ohio.gov).

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 to my email address (below).

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 October 1st, 2024. If you have any questions, please feel free to contact me at 740-833-8032 or via e-mail at Melissa.Anderson@dot.ohio.gov.

Respectfully,

Melissa Anderson
Program Administrator
ODOT D6 Capital Programs

Attachments*

C: Legislation file*, D.Puozzo*, D. Poling*, M. Risko*

PRELIMINARY PARTICIPATORY LEGISLATION

RC 5521.01

Ordinance/Resolution# ORD-0042-2024

PID No. 108154

County/Route/Section FRA-317-16.72-18.52

The following is Ordinance enacted by the City of Gahanna of Franklin
(An Ordinance/a Resolution) (Local Public Agency)
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

SECTION I - Project Description

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

Urban Paving Project including asphalt concrete overlay, with minor pavement repair, on SR317 from the railroad bridge until the 270 Southbound ramp, and again after the US270 North ramp onto SR317 to east of Lincoln Circle. The bridge over the railroad and Rocky Fork Creek will receive deck sealing and upgrading of guardrail.

NOW, THEREFORE, be it ordained by the City of Gahanna of Franklin County, Ohio.
(LPA)

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 LPA agrees to participate in the cost of pavement repairs, curb ramps, and 20% of pavement resurfacing.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

The LPA further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

SECTION IV - Maintenance

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (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 (4) hold said right-of-way inviolate for public highway purposes.

SECTION V - Authority to Sign

The Mayor of said City of Gahanna is hereby empowered on
(Contractual Agent) (LPA)
behalf of the City of Gahanna 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 Mayor is also empowered to assign all rights,
(Contractual Agent)
title, and interests of the City of Gahanna 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: _____, 20____
(Date)

Attested: _____
(Clerk) (Officer of LPA - Mayor)

Attested: _____
(City Attorney) (Vice President of Council)

This N/A 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.

CERTIFICATE OF COPY
STATE OF OHIO

City of Gahanna of Franklin County, Ohio,
(LPA)
Jeremy A. VanMeter, as Clerk of the City of Gahanna
(LPA)
of Franklin County, Ohio, do hereby certify that the forgoing is a true and
correct copy of Ordinance adopted by the legislative Authority of the said
(Ordinance/Resolution)
City of Gahanna on the 1st day of July, 20 24
(LPA)
that the publication of such Ordinance has been made and certified of
(Ordinance/Resolution)
record according to law; that no proceedings looking to a referendum upon such
Ordinance have been taken; and that such Ordinance
(Ordinance/Resolution) (Ordinance/Resolution)
and certificate of publication thereof are of record in Ordinance Page #0042-2024
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if
applicable, this 1st day of July, 2024

CITY SEAL

Clerk

City of Gahanna of Franklin County, Ohio
(LPA)
(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No
Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.
For the City of Gahanna of Franklin County, Ohio
(LPA)

Attest: _____, Date _____
City Attorney Mayor

For the State of Ohio

Attest: _____, Date _____
Director, Ohio Department of Transportation