



OHIO DEPARTMENT OF TRANSPORTATION  
Mike DeWine, Governor

Jack Marchbanks, Ph.D., Director

ORD-0062-2023

EXHIBIT A

District 6

400 E. William St., Delaware, OH 43015

740-833-8000

transportation.ohio.gov

July 13, 2023

Tom Konlanc  
City of Gahanna  
200 S Hamilton Rd  
Gahanna, OH 43230

**RE: Preliminary Participatory Legislation  
FRA-270-36.94, PID 86067**

Dear Mr. Konlanc:

Enclosed is a sample preliminary participatory legislation document for an upcoming ODOT Project to rehabilitate and widen structure FRA-317-17.20 L&R, install decorative fencing and lighting, build a shared use path, along with other associated work within the City limits. Tentatively, the construction work will begin during the spring of 2024.

If you have questions regarding the estimates or scope for this project, please contact Holly Grimes ([Holly.Grimes@dot.ohio.gov](mailto:Holly.Grimes@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).

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 November 1, 2023. If you have any questions, please feel free to contact me at 740-833-8269 or via e-mail at [daniло.puozzo@dot.ohio.gov](mailto:daniло.puozzo@dot.ohio.gov).

Respectfully,

Daniло Puozzo  
Project Manager  
ODOT D6 Planning & Engineering

Attachments\*

C: Legislation file\*, K. Vandia\*, B. Davidson\*, J. Webb\*, J. Vanmeter\*, H. Grimes\*

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**PRELIMINARY PARTICIPATORY LEGISLATION**

**RC 5521.01**

**Ordinance/Resolution#** \_\_\_\_\_  
**PID No.** 86067  
**County/Route/Section** FRA-270-36.94

The following is \_\_\_\_\_ 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:

Rehabilitation and widening of structure FRA-317-17.20 L&R, including installing decorative fencing and lighting, building a shared use path, and other associated work within the City limits.

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 pay 100% of the cost of aesthetic items including decorative vandal fence, decorative lighting, and decorative light poles

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 \_\_\_\_\_ 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 \_\_\_\_\_ 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 - title)

Attested: \_\_\_\_\_  
(Title) (President of Council)

This \_\_\_\_\_ 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)

\_\_\_\_\_, 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 \_\_\_\_\_ adopted by the legislative Authority of the said  
(Ordinance/Resolution)

City of Gahanna on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
(LPA)

that the publication of such \_\_\_\_\_ has been made and certified of  
(Ordinance/Resolution)

record according to law; that no proceedings looking to a referendum upon such  
\_\_\_\_\_ have been taken; and that such \_\_\_\_\_

(Ordinance/Resolution) \_\_\_\_\_ (Ordinance/Resolution)

and certificate of publication thereof are of record in \_\_\_\_\_ Page \_\_\_\_\_  
(Ordinance/Resolution Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if  
applicable, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

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 \_\_\_\_\_

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For the State of Ohio

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