

# CITY OF CLAYTON, OHIO

## RESOLUTION NO. R - 09 -22 - 65

### A RESOLUTION PROVIDING CONSENT TO THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO UNDERTAKE MUNICIPAL BRIDGE INSPECTION PROGRAM WITHIN THE CITY LIMITS OF THE CITY OF CLAYTON

WHEREAS, The City of Clayton, Ohio (Local Public Agency - "LPA") has determined the need for the described project:

*Bridge Inspection Program 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.*

### NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CLAYTON, STATE OF OHIO:

1. Being in the public interest, the City of Clayton, Ohio (Local Public Agency - "LPA") gives consent to the Director of Transportation to complete the above-described Project.
2. The City (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.*

3. The City (LPA) agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.
4. 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.

5. The City Manager of said City of Clayton, Ohio is hereby empowered on behalf of the City to enter into contracts with the Director of Transportation necessary to complete the above-described project.

6. This Resolution shall take immediate effect and be in force from and after the date of its passage.

### Authorization of Project

Amanda Zimmerlin, City Manager of the City of Clayton, Ohio is hereby empowered on behalf of the City of Clayton, Ohio to provide written authorization via email to the Director of Transportation to complete the above-described project and any renewals.

Passed: Sept 15, 2022.  
(Date)

Attested: Barbara Sein  
(Clerk)

Amanda Zimmerlin  
(Contractual Agent of LPA – title)

Attested: Mayor  
(Title)

Mike Stums  
(President of Council)

ADOPTED BY COUNCIL ON SEPTEMBER 15, 2022.

AUTHENTICATION:

Mike Stums  
Mayor (Presiding Officer of Council)

Barbara Sein  
Clerk of Council

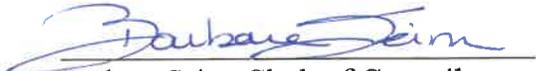
APPROVED AS TO FORM:

[Signature]  
Law Director

CERTIFICATE OF THE CLERK

I, Barbara Seim, Clerk of the City of Clayton, Ohio, do hereby certify that the foregoing Resolution is a true and correct copy of Resolution No. R-09-22-65 passed by the Clayton City Council on the 15<sup>TH</sup> day of September, 2022.

IN TESTIMONY WHEREOF, witness my hand and official seal this 15<sup>th</sup> day of September, 2022.

  
Barbara Seim, Clerk of Council

CERTIFICATION OF PUBLICATION

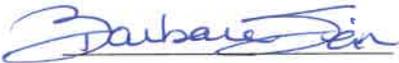
This shall certify that that the text of the above referenced enactment or a summary thereof was published once in the following newspaper and a summary posted in three places of public access as designated by Council.

Name of newspaper

Crookville Star

Date of publication

Sept 21, 2022

  
CLERK

**LEGISLATION CONSENT**

Rev. 8/5/2022

Ordinance/Resolution #: R-09-22-65

ODOT Project Title: Municipal Bridge Inspection Program

The following is a/an Resolution enacted by the City of Clayton of Montgomery County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

**SECTION I – Project Description**

WHEREAS the (LPA) has determined the need for the described project:

*Bridge Inspection Program 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.*

NOW THEREFORE, be it ordained by the City of Clayton of Montgomery County, 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 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 IV – 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 V – Project Duration and Consent Applicability**

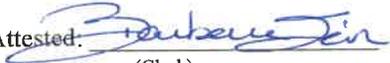
The Project is based on the available funds provided by ODOT aimed at assisting the LPA in reaching compliance with State and Federal laws and policies for bridge inspection. The Project specifics (program duration, PID number, and consultant scope of services (Exhibit A)) shall be provided to the designated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

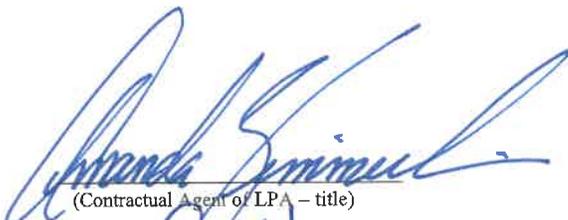
**SECTION VI – Authorization of Project**

Amanda Zimmerlin, City Manager of City of Clayton is hereby empowered on behalf of the  
(Contractual Agent – Designated Position) (LPA)  
City of Clayton to provide written authorization via email to the Director of Transportation to  
(LPA)  
complete the above-described project and any renewals.

Passed: September 15, 2022.  
(Date)

Attested:   
(Clerk)

Attested: Mayor  
(Title)

  
(Contractual Agent of LPA – title)  
  
(President of Council)

The Resolution R-09-22-65 is hereby declared to be an emergency measure to expedite the highway project and  
(Ordinance/Resolution)  
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 Clayton of Montgomery County, Ohio  
(LPA)

I, Barbara Seim, as Clerk of the City of Clayton  
(LPA)  
of Montgomery County, Ohio, do hereby certify that the foregoing is a true and correct copy of  
Resolution R-09-22-65 adopted by the legislative Authority of the said  
(Ordinance/Resolution)

City of Clayton on the 15th day of September, 2022.  
(LPA)

That the publication of such Resolution R-09-22-65 has been made and certified of record according to  
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such Resolution R-09-22-65 have been taken;  
(Ordinance/Resolution)

and that such Resolution R-09-22-65 and certificate of publication thereof are of record in Resolution,  
Page R-09-22-65. (Ordinance/Resolution)  
(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,  
this 15th day of September 2022.

  
(Clerk)

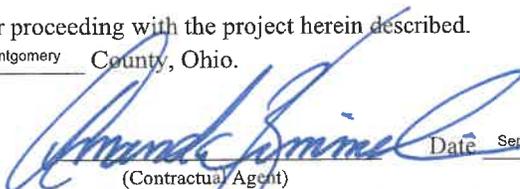
**(CITY SEAL)**

City of Clayton of Montgomery 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 Clayton of Montgomery County, Ohio.  
(LPA)

Attested: 

  
(Contractual Agent) Date September 15, 2022

For the State of Ohio

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Director, Ohio Department of Transportation)

**CERTIFICATE OF COPY  
STATE OF OHIO**

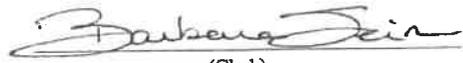
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(LPA)

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(Ordinance/Resolution)  
City of Clayton on the 15th day of September, 2022.

(LPA)  
That the publication of such Resolution R-09-22-65 has been made and certified of record according to  
(Ordinance/Resolution)  
Law; that no proceedings looking to a referendum upon such Resolution R-09-22-65 have been taken;  
(Ordinance/Resolution)  
and that such Resolution R-09-22-65 and certificate of publication thereof are of record in Resolution,  
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IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,  
this 15th day of September 2022.

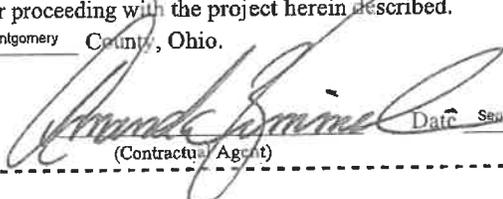
  
(Clerk)

(CITY SEAL) City of Clayton of Montgomery 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 Clayton of Montgomery County, Ohio.  
(LPA)

Attested: 

 Date September 15, 2022  
(Contract Agent)

For the State of Ohio

Attested: NA

 Date 10/25/2022  
(Director, Ohio Department of Transportation)