

RESOLUTION NO. 2026 - 02

VILLAGE OF LEWISBURG, OHIO, RESOLUTION APPROVING PID 125229 - THE REPAVING OF COMMERCE STREET FROM CLAY STREET TO FRONT STREET WITH FULL DEPTH REPAIR AND SUB-GRADE IMPROVEMENT AS NEEDED TO RECTIFY ISSUES ARISING AFTER COMPLETION OF PID 102834, AND TO AUTHORIZE THE VILLAGE'S MUNICIPAL MANAGER TO SIGN ALL DOCUMENTS NECESSARY FOR THE PROJECT TO BE COMPLETED WITHIN SAID VILLAGE

That Whereas, the State of Ohio has determined the need for repaving Commerce Street from Clay Street to Front Street within the Village of Lewisburg.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF LEWISBURG, PREBLE COUNTY, OHIO, AS FOLLOWS:

SECTION I – Project Description

The State of Ohio (State) has determined the need for the following described project:

Repaving of Commerce Street from Clay Street to Front Street with full depth repair and sub-grade improvement as needed to rectify issues arising after completion of PID 102834.

SECTION II – Consent Statement

Being in the public interest, the Village of Lewisburg, Preble County, Ohio (LPA) gives consent to the Ohio Director of Transportation as head of the Ohio Department of Transportation (ODOT) to complete the above described project as detailed in the LPA-ODOT-Let Agreement entered into between the parties, if applicable.

SECTION III – Cooperation Statement

The LPA shall cooperate with the Ohio Director of Transportation in the development and construction of the above described project and shall enter into a LPA Federal ODOT Let Project Agreement, if applicable, as well as any other agreements necessary to develop and construct the Project.

The LPA agrees to participate in the cost of the project by paying 100% of PE (\$31,000.00), 20% of Construction (\$56,063.00), and 20% of Construction Engineering (\$4,400.00).

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.

SECTION IV – Authority to Sign

The LPA hereby authorizes its Municipal Manager to enter into and execute contracts with the Ohio Director of Transportation which are necessary to develop plans for and to complete the above-described project; and to execute contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project.

Upon request of ODOT, the Municipal Manager is also empowered to execute any appropriate documents to affect the assignment of all rights, title, and interests of the LPA to ODOT arising from any agreement with its 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.

SECTION V – 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. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION VI – 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 provisions, 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.

The LPA agrees to inspect and maintain all raised pavement markers installed with this project inside their corporation limit. The LPA understands ODOT will not inspect or maintain these raised pavement markers after the completion of the project.

SECTION VII – Effective Date

This Resolution shall be effective from and after the earliest period allowed by law.

Dated: 01-15-2026

Attest: Eliza Wagner
Clerk of Council


Mayor


Municipal Manager