

# AN ORDINANCE

Rev. 8/5/2022

Ordinance/Resolution #: \_\_\_\_\_

## **ODOT Project Title: Municipal Bridge Inspection Program**

**The following is an Ordinance for bridge inspection services enacted by the Council of the City of Berea, Cuyahoga County, Ohio, hereinafter referred to as the Local Public Agency (LPA), and declaring an emergency.**

### **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 Council of the City of Berea, Cuyahoga County, Ohio that:**

### **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**

The Director of Public Service of the City of Berea of is hereby empowered on behalf of the City of Berea to provide written authorization via email to the Director of Transportation to complete the above-described project and any renewals.

Passed: \_\_\_\_\_, 2022.  
(Date)

Attested: \_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
Director of Public Service

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

\_\_\_\_\_  
President of Council

**SECTION VII.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

**SECTION VII.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare, or providing for the usual daily operation of a municipal department, and for the further reason that it will expedite the highway project 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.

PASSED:

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President of Council

ATTEST: \_\_\_\_\_  
Clerk of Council

APPROVED:

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Mayor

Approved as to Form:

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Director of Law

**CERTIFICATE OF COPY**  
**STATE OF OHIO**

City of Berea, Cuyahoga County, Ohio

I, \_\_\_\_\_, as Clerk of the City of Berea, of Cuyahoga County, do hereby certify that the foregoing is a true and correct copy of Ordinance No. \_\_\_\_\_, adopted by the Council of the City of Berea on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

That publication of such Ordinance 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 Ordinance and certificate of publication thereof are of record in the office of the Clerk of Council.

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

\_\_\_\_\_  
Clerk, City of Berea, Cuyahoga County, Ohio

**(CITY SEAL)**

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the City of Berea, Cuyahoga County, Ohio.

Attested: \_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_

Director of Public Service

Attested: \_\_\_\_\_

\_\_\_\_\_

Date \_\_\_\_\_

(Director, Ohio Department of Transportation)

For the State of Ohio