

TEMPORARY RESOLUTION NO. 106-25

PERMANENT RESOLUTION NO. 2-26

A RESOLUTION OF CONSENT FOR PRELIMINARY LEGISLATION AND TO AUTHORIZE THE SERVICE-SAFETY DIRECTOR TO ENTER INTO AGREEMENTS AS NECESSARY TO COMPLETE THE PROJECTS KNOWN AS FAI US 22/SR 37/158 VAR, PID 98022 AND D05 FY2027 BRIDGE REHAB WEST, PID 124808

WHEREAS, the project known as FAI US 22/SR 37/158 VAR, PID 98022 includes resurfacing and related roadwork which will be designed and constructed by the Ohio Department of Transportation ("ODOT") and is being funded with ODOT urban paving funds, Surface Transportation Program ("STP") funds, and local funds out of the 3 Mil Street Improv Levy Fund (2009); and

WHEREAS, the project known as D05 FY2027 Bridge Rehab West, PID 1240808 includes bridge repairs and work on various structures within the City of Lancaster and is being funded with ODOT funds; now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LANCASTER, STATE OF OHIO:

SECTION 1. That based on the need for the above-described project, Lancaster City Council, the Local Public Agency (LPA), hereby gives consent to the Preliminary Legislation for PID 98022, FAI US 22/SR 37/158 VAR, as set forth in Exhibit A, attached hereto or in similar form and agreement.

SECTION 2. That based on the need for the above-described project, Lancaster City Council, the LPA, hereby gives consent to the Preliminary Legislation for PID 124808, D05 FY2027 Bridge Rehab West, as set forth in Exhibit B, attached hereto or in similar form and agreement.

SECTION 3. That the Service-Safety Director is hereby authorized to enter into any necessary agreements for completion of the above projects.

SECTION 4. That this resolution shall take effect and be in force from and after the earliest period allowed by law.

Passed: 1-12-2026 after 3 reading. Vote: Yeas 10 Nays 0

Date Approved: January 12, 2026

Clerk: [Signature] President of Council [Signature]

Mayor Don A. McDaniel

Offered by: [Signature]

Second by: [Signature]

Requested by Public Works Committee



OHIO DEPARTMENT OF TRANSPORTATION
Mike DeWine, Governor Jack Marchbanks, Ph.D., Director



District 5
9600 Jacksontown Rd., Jacksontown, OH 43030
740-323-4400
transportation.ohio.gov

September 22, 2025

City Engineer
City of Lancaster
121 East Chestnut Street, Suite 100
Lancaster, Ohio 43130

Re: Preliminary Legislation for FAI US 22/SR 37/158 VAR, PID 98022

Dear City Engineer:

The Ohio Department of Transportation has determined that Consent Legislation is required for the following proposed actions:

Resurfacing with related roadway work. Scope of work within city will include resurfacing and replacement of curb ramps as needed.

Since the proposed action will be associated with the City of Lancaster, attached is one (1) Consent Legislation document. Please review this document, and if it meets your approval, please submit to the City of Lancaster for execution.

After the Participatory Legislation has been executed, please return one original signed document to this office by **11/6/2025** for completion. If further information is required, please contact me at (740) 323-5113 or by email at Heather.Gilbert@dot.ohio.gov.

Respectfully,

Heather Gilbert, P.E.
District 5 Planning Engineer

Attachment (1)

cc: File

PRELIMINARY LEGISLATION

Participatory

Rev. 6/26/00

Resolution #: _____

County/Route/Section: FAI US 22/SR 37/158 VAR

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

SECTION I – Project Description

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

Resurfacing with related roadway work. Scope of work within city will include resurfacing and replacement of curb ramps as needed.

NOW THEREFORE, be it ordained by the City of Lancaster of Fairfield 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 further agrees to pay 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.

SECTION IV – Utilities and Right-of-Way Statement

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way includes eligible utility costs.

The LPA agrees to be responsible for all utility accommodation, relocation and reimbursement and agrees that such accommodation, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION V – 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.

SECTION VI Authority to Sign

The LPA hereby authorizes, City Engineer of the City of Lancaster is hereby empowered on behalf of the City of Lancaster to enter into and execute contracts with the 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, City Engineer to execute any appropriate documents to affect the assignment of all rights, title, and interests of the City of Lancaster 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 VII-Emergency measure

If required, Resolution is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, **as an emergency measure**, 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: _____, 20____.
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Lancaster of Fairfield County, Ohio

I, _____, as Clerk of the City of Lancaster of Fairfield County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution _____ adopted by the legislative Authority of the said City of Lancaster on the _____ day of _____, _____.

That the publication of such Resolution has been made and certified of record according to Law; that no proceedings looking to a referendum upon such Resolution have been taken; and that such Resolution and certificate of publication thereof are of record in _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____ 2 _____.

(Clerk)

(SEAL)

City of Lancaster of Fairfield County, Ohio

(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 Lancaster of Fairfield County, Ohio.

Attested: _____ Date _____

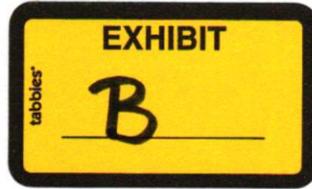


For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)



OHIO DEPARTMENT OF TRANSPORTATION
Mike DeWine, Governor Jack Marchbanks, Ph.D., Director



District 5
9600 Jacksontown Rd., Jacksontown, OH 43030
740-323-4400
transportation.ohio.gov

September 23, 2025

City Engineer
City of Lancaster
121 East Chestnut Street, Suite 100
Lancaster, Ohio 43130

Re: Consent Legislation for D05 FY2027 Bridge Rehab West, PID 124808

Dear City Engineer:

The Ohio Department of Transportation has determined that Consent Legislation is required for the following proposed actions:

Bridge work on various structures in District 5.

Since the proposed action will be associated with the City of Lancaster, attached is one (1) Consent Legislation document. Please review this document, and if it meets your approval, please submit to the City of Lancaster for execution.

After the Consent Legislation has been executed, please return one original signed document to this office by **11/7/2025** for completion. If further information is required, please contact me at (740) 323-5113 or by email at Heather.Gilbert@dot.ohio.gov

Respectfully,

Heather Gilbert, P.E.
District 5 Planning Engineer

Attachment (1)

cc: File

PRELIMINARY LEGISLATION

Consent

Rev. 6/26/00

Resolution#: _____

County/Route/Section: D05 FY2027 Bridge Rehab West

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

SECTION I – Project Description

WHEREAS, the Ohio Department of Transportation (ODOT) has determined the need for the described project:

Bridge work on various structures in District 5.

NOW THEREFORE, be it ordained by the City of Lancaster of Fairfield 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 development and construction of the above described project as follows:

1. The LPA gives consent for the above improvement, and
2. The LPA further agrees to pay 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.

SECTION IV – Utilities and Right-of-Way Statement

If village owned utilities, within a corporation limit or in a private easement outside corporation limits, need to be relocated due to this ODOT project, the village will be reimbursed for any relocation work; ODOT will perform the coordination, relocation, and reimbursement which shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

If other public and private utilities need to be relocated due to this ODOT project they will not be reimbursed for relocation; with exceptions due to an easement, etc.

SECTION V – 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.

SECTION VI Authority to Sign

The LPA hereby authorizes, _____ of the City of Lancaster is hereby empowered on behalf of the City of Lancaster to enter into agreements with the Director of Transportation which are necessary to complete the above described project.

**CERTIFICATE OF COPY
STATE OF OHIO**

City of Lancaster of Fairfield County, Ohio

I, _____, as Clerk of the City of Lancaster of Fairfield County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution _____ adopted by the legislative Authority of the said City of Lancaster on the _____ day of _____, _____.

That the publication of such Resolution has been made and certified of record according to Law; that no proceedings looking to a referendum upon such Resolution have been taken; and that such Resolution and certificate of publication thereof are of record in _____, Page _____.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this _____ day of _____ 2 _____.

(Clerk)

(SEAL)

City of Lancaster of Fairfield County, Ohio

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

Attested: _____ Date _____



For the State of Ohio

Attested: _____ Date _____
(Director, Ohio Department of Transportation)

SECTION VII-Emergency measure

If required, Resolution is hereby declared to be an emergency measure to expedite the highway project and to promote highway safety. Following appropriate legislative action, **as an emergency measure**, 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: _____, 20____.
(Date)

Attested: _____
(Clerk)

(Contractual Agent of LPA – title)
