



**CITY OF WESTLAKE, OHIO  
ORDINANCE NO. 2016-15:**

**AN ORDINANCE AUTHORIZING THE  
MAYOR TO ENTER INTO AN LPA  
AMENDMENT AGREEMENT WITH THE  
OHIO DEPARTMENT OF TRANSPORTATION  
AS TO THE DETROIT ROAD RESURFACING,  
AND DECLARING AN EMERGENCY.**

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**WHEREAS**, by and through Ordinance No. 2015-57, Council authorized the Mayor to enter into an LPA Agreement with the Ohio Department of Transportation (“ODOT”) as to the Detroit Road Resurfacing Project (PID 95891); and

**WHEREAS**, the Mayor and the Director of Engineering have recommended that the City enter into an LPA Amendment Agreement with ODOT as to the Detroit Road Resurfacing Project (PID 95891).

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WESTLAKE, COUNTY OF CUYAHOGA AND STATE OF OHIO:**

**Section 1:** That the Mayor be and he is hereby authorized and directed to enter into an LPA Amendment Agreement with ODOT as to the Detroit Road Resurfacing Project (PID 95891) in the form as attached hereto as Exhibit “A” with such changes as may be made by the Director of Law without changing the substance thereof.

**Section 2:** That it is found and determined that all formal actions of this Council concerning and relating to this legislation were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all legal requirements including Section 10, Article XI of the Charter of the City of Westlake and Section 121.22 of the Ohio Revised Code.

**Section 3:** That this legislation is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare, and for the further reason that it is immediately necessary to provide funding for the Detroit Road Resurfacing Project, and further provided it receives the affirmative vote of two-thirds of all

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members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: 1/21/16





Michael F. Killeen  
President of Council

Presented to Mayor: 1/22/16

Approved: 1/22/16

ATTEST:

  
Denise L. Rosenbaum, Clerk of Council

  
Dennis M. Clough, Mayor

I, Denise L. Rosenbaum, Clerk of Council of the City of Westlake do hereby certify that Ordinance/Resolution no. 2016-15 adopted 1/21/16 was duly posted on 1/22/16 and remained posted for a period of 15 days thereafter in not less than 2 of the most public places in the City as determined by the Charter of said City.

CFDA 20.206

**LPA PROJECT AGREEMENT # 27022 Amendment  
PID 95891  
CUY-SR 254-0.00**

**3.0 FUNDING**

**Section 3.0 Funding of Agreement No. 27254 is hereby revised, as detailed below, to modify the ODOT District Preservation funding split from an 80/20 split to an 85/15 split for eligible Construction and Construction Engineering/ Inspection activities.**

**3.1 The total cost for the PROJECT is estimated to be \$2,617,585 as set forth in Attachment 1.**

**ODOT shall provide to the LPA, 85 percent of the eligible costs for Construction and Construction Engineering/ Inspection activities up to a maximum of \$2,100,000 in Federal (4PF7) funds.**

**This maximum amount reflects the funding limits for the PROJECT set by the applicable Program Manager. Unless otherwise provided, funds through ODOT shall be applied only to the eligible costs associated with the actual cost of the transportation project improvement.**

**3.2 The LPA shall provide all other financial resources necessary to fully complete the PROJECT, including all cost overruns and contractor claims.**

**3.3 By signing this revision, both parties agree that all provisions in the original agreement remain in full force and effect.**

**Westlake, Ohio**

**OHIO DEPARTMENT OF TRANSPORTATION**

By: \_\_\_\_\_

By: \_\_\_\_\_  
Jerry Wray, Director

Date: \_\_\_\_\_

Date: \_\_\_\_\_