

*Record of Resolution*

Resolution No.: 2023-02

Passed: January 9, 2022

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**A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION FOR THE TRANSPORTATION ALTERNATIVE PROGRAM (TAP) THROUGH THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE VILLAGE SIDEWALK IMPROVEMENT PROJECT AND DECLARING AN EMERGENCY.**

**WHEREAS**, this Resolution enacted by the Village of West Lafayette of Coshocton County, Ohio, hereinafter referred to as the Local Public Agency (LPA), in the matter of the stated described project; and

**WHEREAS**, the United States Congress has set aside monies for Transportation Enhancement Projects through ODOT; and

**WHEREAS**, LPAs can apply for these monies and be selected for funding by ODOT; and

**WHEREAS**, the Village Sidewalk Improvement Project is a transportation activity eligible to receive funding; and

**WHEREAS**, if requested funds are granted, the Village shall be responsible for at least five (5%) percent of the construction costs, and 100% of all other costs associated with the architecture/engineering plans, environmental studies and documentation, right-of-way plans, and right-of-way acquisition, if necessary.

**NOW, THEREFORE, be it Resolved** by the Council of the Village of West Lafayette, State of Ohio as follows:

**Section 1:** That the Mayor of said LPA is hereby empowered on behalf of the LPA to prepare and execute an application for funds through the TAP for the stated described project and to submit same to ODOT for its consideration to fund.

**Section 2:** The total project cost is estimated to be \$1,504,298.78, of which the LPA, if awarded the funds, commits to pay at least five (5%) percent - if constructed no later than 2025 - (hereinafter known as the local portion) of the actual construction cost eligible for ODOT TAP funding. The LPA further agrees to pay 100% of the

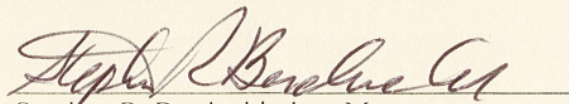
construction cost over and above the maximum amount provided by the State of Ohio, Department of Transportation and for all costs associated with design, environmental, and right-of-way activities, currently estimated to be \$350,714.94 Local Share, OMEGA Planning Grant, Safe Routes to School, and ARC. The LPA is only committed to pay five (5%) of the portion, if any, of the project that it decides to complete. Thus, the final fiscal obligation of the Village will not exceed the aforementioned total but will be dependent on the final overall scope of the project.

**Section 3:** Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal laws, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described Project; (3) if necessary, maintain the right-of-way, keeping it free of obstructions; and (4) if necessary, hold said right-of-way inviolate for public highway purposes.

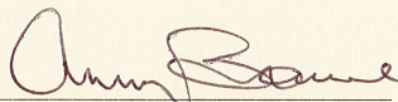
**Section 4:** If the application is approved for the funding, the Mayor, the Fiscal Officer, and the Mayor of said LPA is hereby empowered, on behalf of the LPA to enter into a contract with the Director of ODOT necessary to complete the above-described project, which includes the bidding process.

Section 5: The Resolution is hereby declared to be an emergency measure and its immediate passage is necessary in order to preserve, protect and maintain the health, safety, and welfare of the citizens of the Village of West Lafayette, Ohio and must be passed in order to for the application for TAP funding to be submitted prior to the deadline. Therefore, this Resolution shall be in force immediately upon its passage and approval.

PASSED IN COUNCIL THIS 9 day of January 2023.

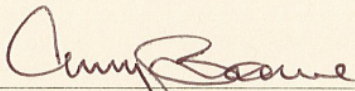
  
Stephen R. Bordenkircher, Mayor

ATTEST:

  
Amy Bourne, Fiscal Officer

**CERTIFICATE OF RECORDING OFFICER**

I, the undersigned, hereby certify, that the foregoing is a true and correct copy of the Resolution adopted by the Council of the Village of West Lafayette held on the 9<sup>th</sup> day of January 2023, and that I am duly authorized to execute this certificate.

  
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Amy Bourne, Fiscal Officer