

TITLE

AN ORDINANCE FOR THE PURPOSE OF AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND SAFETY TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE TRUMBULL COUNTY ENGINEER RELATED TO WATERLINE REPLACEMENT WORK, KNOWN AS THE TRU-PHOENIX ROAD IMPROVEMENTS PROJECT LOCATED ON PHOENIX ROAD BETWEEN NORTH RIVER ROAD AND LARCHMONT AVENUE IN HOWLAND TOWNSHIP, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 13094/2022

WHEREAS, this project includes improvement of 0.383 miles of County Highway 353 A&B Phoenix Road by clearing/grubbing, linear grading of ditches, storm sewer upgrades and installation, widening, and resurfacing, in addition to the replacement of City of Warren owned waterlines; and

WHEREAS, the construction of the project is partially funded by a \$250,000 Appalachian Regional Commission (ARC) grant, and up to a \$100,000 grant from Ohio Department of Transportation's Jobs and Commerce Program; and

WHEREAS, the City of Warren will commit \$98,000 to replace waterline and \$151,000 to connect the waterline to Larchmont Avenue; and

WHEREAS, the aforementioned industrial area is supplied with water from the City of Warren; and

WHEREAS, the waterline replacement will provide a reliable water source to the businesses within the Golden Triangle; and

WHEREAS, the Trumbull County Engineer is the recipient of the aforementioned grants and will administer the engineering, construction, and administration of the funds in accordance with the grant agreements; and

WHEREAS, the City of Warren, upon completion of the project, shall continue to be responsible for the operation, maintenance, and repair of the waterlines; and

WHEREAS, it is necessary to enter into an agreement and understanding of each party's responsibilities pertaining to the project; NOW THEREFORE

BE IT ORDAINED by the Council of the City of Warren, State of Ohio:

Section 1: That the Trumbull County Engineer will be the lead agency and serve as the Local Public Agency for the project.

Section 2: That, as the lead agency, the Trumbull County Engineer will be responsible for the execution of any and all contractual agreements necessary for the completion of the project.

Section 3: That the Trumbull County Engineer will provide all design and plan preparation, and construction administration, to include construction engineering, supervision, and inspection services for the said project.

Section 4: That the Trumbull County Engineer will be responsible for the advertising and awarding of bids for the construction of the TRU-Phoenix Road project.

Section 5: That both the Trumbull County Engineer and the City of Warren agree that the City of Warren will direct pay the contractor as directed by the Trumbull County Engineer, not to exceed the amounts as listed above, unless written authorization is obtained by all parties prior to such commitment.

Section 6: That the Memorandum of Understanding shall first be approved by the Law Director; and the Auditor be, and hereby is, authorized to disburse said funds upon receipt of proper vouchers, signed by the proper persons, for the state purpose and for no other purpose.

Section 7: That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, welfare and safety, and for the further reason that there exists a need for expediting waterline improvements to promote commerce and safety at the earliest possible time and without undue delay. WHEREFORE, this Ordinance shall go into immediate effect.

Passed in Council this 9TH day of FEBRUARY, 2022.

SIGNED:  PRESIDENT OF COUNCIL ATTEST:  CLERK

FILED WITH THE MAYOR: 2/10/2022

DATE APPROVED: 2-10-22


MAYOR, CITY OF WARREN, OHIO