

**CITY OF XENIA, OHIO  
RESOLUTION 2022 – MMM**

**APPROVING CONSENT LEGISLATION FOR THE ODOT MUNICIPAL BRIDGE  
INSPECTION PROGRAM**

**WHEREAS**, the Ohio Department of Transportation (“ODOT”) performs annual bridge inspections for interested local jurisdictions, and the City of Xenia has been afforded the opportunity to participate in the annual bridge inspection program through ODOT at no cost to the City and for a period of one (1) year; and

**WHEREAS**, the City of Xenia, as a Local Public Agency (“LPA”), has determined the need for the following described project (“Project”):

*Bridge Inspection Program Services including, but not limited to, routine inspections, element level inspections, critical-findings reports, 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, THE CITY OF XENIA HEREBY RESOLVES**, a majority of the members of Council present concurring, that:

**Section 1.** Being in the public interest, the City, as LPA, hereby gives consent to the Director of the Ohio Department of Transportation to complete the Project.

**Section 2.** The City, as LPA, shall cooperate with the Director of Transportation in the 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, attached hereto as Exhibit A.*

*The City, as LPA, agrees to pay 100% of the cost of those features that are not included in Exhibit A. Those features may include, but are not limited to, the purchasing and erecting of recommended weight limits posting 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, the Federal Highway Administration (FHWA) requires installing weight limits posting signs within thirty (30) days from the official date of the approved recommendations. Timely implementation is essential to the success of ODOT’s Bridge Inspection Program.*

**Section 3.** The City, as LPA, agrees that all right-of-way required for the Project will be made available in accordance with current State and Federal Regulations.

**Section 4.** The City Manager of the City of Xenia is hereby empowered on behalf of the City of Xenia, to provide written authorization via email and execute any contracts or agreements with the Director of Transportation as may be necessary to complete the above-described Project and any renewals.


**Section 5.** 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).

**Section 6.** 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.

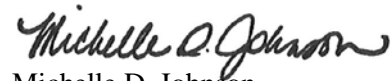
**Section 7.** It is found that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council, and that all deliberations of this Council that resulted in this formal action were in meetings open to the public in compliance with all legal requirements, including ORC 121.22.

**Section 8.** This Resolution shall become effective immediately upon its passage.

Passed: October 13, 2022

  
Wesley E. Smith  
President, Xenia City Council

Attest:

  
Michelle D. Johnson  
City Clerk

**CERTIFICATE OF COPY  
STATE OF OHIO**

City of Xenia of Greene County, Ohio  
(LPA)

I, Michelle D. Johnson, as Clerk of the City of Xenia of Greene County, Ohio, do hereby certify that the foregoing is a true and correct copy of Resolution 2022-MMM adopted by the legislative authority of the said City of Xenia, Ohio on the 13<sup>th</sup> day of October, 2022; that the publication of such Resolution 2022-MMM has been made and certified of record according to law; that no proceedings looking to a referendum upon such Resolution 2022-MMM have been taken; and that such Resolution 2022-MMM and certificate of publication thereof are on record in hard copy and/or electronic format in the Office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable, this 13<sup>th</sup> day of October, 2022.

Michelle D. Johnson  
Michelle D. Johnson, City Clerk

City of Xenia of Greene County, Ohio  
(LPA)

(CITY SEAL)

(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 described therein.

For the City of Xenia of Greene County, Ohio:  
(LPA)

Attested: Michelle D. Johnson

Brent W Merriman 10/13/2022  
Brent W Merriman, Date  
City Manager  
(Contractual Agent)

For the State of Ohio:

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

\_\_\_\_\_  
Jack Marchbanks, Ph.D., Date  
Director  
Ohio Department of Transportation