

## OHIO TURNPIKE AND INFRASTRUCTURE COMMISSION

### Resolution Authorizing the Executive Director to Enter into an Agreement with The Ohio Department of Transportation for the Construction of Rumble Strip Sound Attenuation Barriers at Exit 151 and I-480 in Lorain County, Ohio

WHEREAS, Section 5537.04(10) of the Ohio Revised Code provides that the Commission may “[d]esignate the locations and establish, limit, and control such points of ingress to and egress from each turnpike project as are necessary or desirable in the judgment of the commission and of the director of transportation to ensure the proper operation and maintenance of that turnpike project,” and Section 5537.04(11) of the Ohio Revised Code provides that the Commission may “make and enter into all contracts and agreements necessary or incidental to the performance of its duties and the execution of its powers;” and

WHEREAS, Section 5501.03(A)(3) of the Ohio Revised Code provides that the Ohio Department of Transportation (“ODOT”) shall “[c]oordinate its activities with those of other appropriate state departments, public agencies, and authorities, and enter into any contracts with such departments, agencies, and authorities as may be necessary to carry out its duties, powers, and functions;” and

WHEREAS, in 1989, to alleviate a safety hazard created by excess speed of vehicles approaching the point where Exit 151 of the Ohio Turnpike (I-80) meets I-480 in Lorain County, rumble strips were installed to alert drivers to slow down as they approach the Interchange from either direction; and

WHEREAS, since that time, the rumble strips have created noise at a frequency that has been a constant source of disruption for the neighbors residing near the Exit 151 Interchange; and

WHEREAS, ODOT and the Commission have mutually determined that it is in the public interest, and for the benefit of the neighboring North Ridgeville residents, that rumble strip sound attenuation barriers be constructed at the point where Exit 151 of the Ohio Turnpike meets I-480, and this Resolution seeks authorization of the Project Agreement between the Commission and ODOT to construct said barriers; and

WHEREAS, under the Project Agreement, which shall be designated Ohio Turnpike and Infrastructure Commission Project No. 62-14-01, and ODOT PID 93694 LOR-IR480, ODOT shall be responsible for designing, bidding and constructing the rumble strip sound attenuation barriers in both its right-of-way on the northerly side of the I-480 Westbound deceleration ramp for traffic entering the Turnpike at Exit 151, as well as in the Turnpike (I-80) right-of-way on the northerly side of the Eastbound deceleration ramp for traffic exiting the Turnpike at Exit 151, and the Commission shall reimburse ODOT for one-half of the cost of construction, not-to-exceed **\$350,000.00**; and

WHEREAS, post construction of the Project, each party shall be responsible for maintenance of the rumble strip sound attenuation barriers located within their respective rights-of-way; and

WHEREAS, expenditures under the proposed Project Agreement with ODOT will exceed \$150,000.00 and, in accordance with Article V, Section 1.00 of the Commission’s Code of Bylaws, Commission action is necessary to authorize said Agreement; and

WHEREAS, the Commission’s Chief Engineer and Executive Director have reviewed the proposed Project and both concur that it is in the Commission’s best interests to enter into the Agreement with ODOT, and to reimburse ODOT for one-half of the Project cost, not-to-exceed **\$350,000.00**, for the construction of rumble strip sound attenuation barriers at the point where Exit 151 of the Ohio Turnpike (I-80) meets I-480 in Lorain County; and

WHEREAS, the Commission has duly considered said recommendations.

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director and General Counsel are hereby authorized to negotiate and execute an Agreement with the Ohio Department of Transportation under which ODOT shall construct rumble strip sound attenuation barriers at the point where Exit 151 of the Ohio Turnpike (I-80) meets I-480 in Lorain County, which Project shall be designated Ohio Turnpike and Infrastructure Commission **Project No. 62-14-01**, and **ODOT PID 93694 LOR-IR480**, which Agreement shall include the reimbursement of ODOT in an amount not to exceed **\$350,000.00** for said improvements; and

FURTHER RESOLVED, the Executive Director and Chief Engineer are authorized to take any and all actions necessary to carry out the terms of said Agreement; and

**FURTHER RESOLVED that Project No. 62-14-01 is designated a Fuel Tax Project under the Commission's 1994 Master Trust Agreement.**

**(Resolution No. 76-2013 adopted November 18, 2013)**