

## OHIO TURNPIKE COMMISSION

### Resolution Authorizing the Executive Director to Enter into an Agreement with The Ohio Department of Transportation for the Construction of Improvements to Ohio Turnpike Interchange 180 and State Route 8, Summit County

WHEREAS, Section 5537.04(10) of the Ohio Revised Code provides that the Commission may make or enter into all contracts and agreements necessary to the performance of its duties and the execution of its powers;

WHEREAS, Section 5537.28 of the Ohio Revised Code authorizes the Commission to make infrastructure improvements to the Ohio Turnpike and connecting roadways within one mile of an interchange;

WHEREAS, Section 5501.03(C) of the Ohio Revised Code provides that the Director of Transportation may coordinate the activities of the Ohio Department of Transportation (ODOT) with other appropriate public authorities and enter into contracts with such authorities as necessary to carry out its duties, powers and functions;

WHEREAS, ODOT and the Commission have mutually determined that it is in the public interest and for the benefit of public safety to make improvements to State Route 8 and Ohio Turnpike Interchange 180, Summit County, Ohio;

WHEREAS, ODOT and the Commission agree that the redesign, rehabilitation and improvement to State Route 8 and Ohio Turnpike Interchange 180 shall better serve the travelling public and shall hereinafter be referred to as the PROJECT; and

WHEREAS, the Commission and ODOT entered into an Agreement dated April 27, 2004 for the acquisition of all right-of-way necessary for the PROJECT in accordance with current State and Federal regulations, and further provided that the Commission reimburse ODOT in the amount of One Million, One Hundred Forty Thousand Dollars (\$1,140,000.00) for right-of-way acquisitions required for Commission operations and necessary for the rehabilitation and improvement of Ohio Turnpike Interchange 180 and its portion of connecting roadways to State Route 8, Summit County;

WHEREAS, ODOT and the Commission agree that a second agreement is necessary for Phase II of the PROJECT that sets forth the respective duties and responsibilities of each party for the construction and maintenance of the PROJECT, including the cost thereof to the Commission;

WHEREAS, the Commission's Chief Engineer and Executive Director have reviewed the PROJECT and both concur that it is in the Commission's best interests to enter into this agreement with ODOT, and reimburse ODOT in an amount not to exceed Fourteen Million Dollars (\$14,000,000.00) for the construction of improvements to Ohio Turnpike Interchange 180 and its portion of the connecting roadways to State Route 8 in Summit County;

NOW, THEREFORE, BE IT

RESOLVED that the Executive Director and General Counsel are hereby authorized to negotiate and execute a Phase II agreement with the Ohio Department of Transportation for the purpose of constructing improvements to Ohio Turnpike Interchange 180 and those connecting roadways to State Route 8 in Summit County, which PROJECT shall be designated Ohio Turnpike Commission Project No. 74-03-01, and ODOT Project No. 24508 SUM 8, which agreement may include the reimbursement of ODOT in an amount not to exceed Fourteen Million Dollars (\$14,000,000.00) for said improvements;

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.

**(Resolution No. 8-2007 adopted April 9, 2007)**