

CITY OF SHERWOOD
RESOLUTION NO. 304

A RESOLUTION AUTHORIZING THE MAYOR, RECORDER AND CITY MANAGER TO
EXECUTE CONSTRUCTION-FINANCE AGREEMENT, TITLE II - HAZARD ELIMINATION
PROJECT - HORIZONTAL/VERTICLE NO PASSING ZONE STRIPING

WHEREAS, the council has reviewed the proposed agreement presented by the State of Oregon, acting by and through its Department of Transportation, Highway Division, and finds that execution and performance of said agreement would be in the best interests of the City of Sherwood and its citizens,

NOW, THEREFORE, it is hereby resolved that the Mayor, Recorder and City Manager be authorized and directed to enter into and execute said agreement and to do or cause to be done, all things necessary to be performed by the City of Sherwood with regard thereto.

PASSED by the Council this 26 day of September, 1984.

Mary L. Tobias
Mary Tobias, Mayor

ATTEST: Polly Blankenkaker
Polly Blankenkaker,
City Recorder

RESOLUTION NO. 304

FINAL
DNH:pf
8/22/84

Misc. Contracts & Agreements
No.

CONSTRUCTION-FINANCE AGREEMENT
TITLE II, HAZARD ELIMINATION PROJECT
HORIZONTAL/VERTICAL NO-PASSING ZONE STRIPING

THIS AGREEMENT is made and entered into by and between the STATE OF OREGON, acting by and through its Department of Transportation, Highway Division, hereinafter referred to as "State"; and the CITY OR COUNTY, commonly referred to as "Local Government Agency", acting by and through its elected officials, hereinafter referred to as "Agency".

W I T N E S S E T H

RECITALS

1. The Federal Highway Administration requires compliance with the National Manual on Uniform Traffic Control Devices for striping no-passing zones on horizontal and vertical curves. Such striping must be done on both existing highway routes and on current federal-aid construction projects where striping work has not yet been completed.
2. State and Agency, in their judgement, have deemed it necessary and desirable to inventory, paint, and mark all required no-passing zones appropriately as identified on a statewide basis. Such inventory, painting and marking will hereinafter be referred to as "project".
3. By the authority granted by certain provisions of the ORS, State and Agency may enter into agreements for the improvement of any road, highway or street with the allocation of costs on terms mutually agreeable to the contracting parties.
4. Title II, Hazard Elimination Program of the Highway Safety Act of 1978 and the 1982 Surface Transportation Assistance Act, authorizes use of funds for projects at specific locations having a high-hazard experience or which constitutes a danger to vehicles or pedestrians. The cost sharing ratio for projects undertaken through this program is basically on a 90 percent Federal Funds and 10 percent Local Matching Funds. The State, and/or Federal Highway Administration in this instance, shall provide the initial Local Match and there will be no expense to the Agency for either the inventory or striping portions of the project.

NOW, THEREFORE, the premises being in general as stated in the foregoing RECITALS, it is agreed by and between the parties hereto as follows:

STATE OBLIGATIONS

1. State shall submit a program to the Federal Highway Administration with a request for approval of federal aid participation in the necessary engineering, and construction for the project. No work shall proceed until said approval has been obtained.

2. State shall enter into a contract with a private consultant to inventory all no-passing zones (in accordance with MUTCD) on all paved public roads in Oregon that have a painted center line. The inventory will include all State highways, County roads, and City streets. The inventory will be funded by the State at no expense to the Agency.

The inventory will produce records showing beginning and ending of all no-passing zones, copies of which will be provided to the participating Agency.

3. The State and/or Federal Highway Administration shall provide the necessary resources for the initial installation to permanently mark and paint all required no-passing zones on all State highways and County roads and City streets.

The Agency will have the option of either accomplishing the work with its own forces or allowing the State's contractor to do the work. In either case initially, all of the required painting/markings will be paid 100 percent by the State and Federal Highway Administration at no expense to the Agency.

AGENCY OBLIGATIONS

1. Agency hereby authorizes State's contractor to inventory all roads or streets for the purpose of identifying those areas that will require no-passing striping in conformance to the MUTCD.

2. Agency hereby authorizes the State's contractor to mark and paint all no-passing zones identified in the inventory.

3. Agency shall supply the State with a map showing location of roads to be inventoried and a list of identifiable sections keyed to the map. Road sections will be identified in a manner to allow the State's contractor to find the section for work purposes.

4. If the Agency elects to accomplish the required striping with its own forces, they shall:

- a. Stripe only those areas identified on the inventory, limited to the horizontal and vertical curves, not intermediate lines.

b. Compile accurate accounting records and when the actual total cost of the project has been computed, furnish the State with an itemized statement of said costs.

5. Upon completion of the initial striping project, Agency shall thereafter, at its own cost and expense, maintain and operate that portion of the project under its jurisdiction in a manner satisfactory to the State and/or Federal Highway Administration.

6. Agency shall adopt an ordinance or resolution authorizing its designated elected Officials to enter into and execute this agreement, and the same shall be attached hereto and become a part hereof.

IN WITNESS WHEREOF, the parties hereto have set their hands and affixed their seals as of the day and year hereinafter written. Agency has acted in this matter pursuant to Ordinance or Resolution No. 304, adopted by its elected officials on the 26th day of September, 1984.

This project was approved by the State Highway Engineer on August 17, 1984 under delegated authority from the Oregon Transportation Commission.

The Oregon Transportation Commission, by a duly adopted delegation order, authorized the State Highway Engineer to sign this agreement for and on behalf of the Commission. Said authority is set forth on page 5686 in the Minutes of the Oregon Transportation Commission, dated July 31, 1984.

APPROVAL RECOMMENDED

By _____
Traffic Engineer

STATE OF OREGON, by and through
its Department of Transportation,
Highway Division

By _____
State Highway Engineer

Date _____

FORMAT
APPROVED AS TO
LEGAL SUFFICIENCY

By *James L. Searcy*
Assistant Attorney General

Date July 17, 1984

AGENCY City of Sherwood,
by and through its elected Officials

By *Mary L. Tilton*
Mayor, Chairman, Judge

By *Polly Blankenbaker*
City Recorder/County Clerk

By *James H. Bay*

By _____