

ORDINANCE NO. 13 -90

BY: *J. Joehmet*

An Ordinance to authorize the Mayor and Auditor to execute an administrative agreement with the Mid-Ohio Regional Planning Commission.

WHEREAS, the District 3 Public Works Integrating Committee designated the Mid-Ohio Regional Planning Commission as the agency to evaluate and submit Issue 2 and H.B. 381 (Local Transportation Improvement Program) projects to the State of Ohio Public Works Commission, and,

WHEREAS, the District 3 Public Works Integrating Committee approved a funding methodology that will provide Mid-Ohio Regional Planning Commission program administration funding; and,

WHEREAS, the Mid-Ohio Regional Planning Commission has proposed providing those services to the City of Bexley. NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF BEXLEY, OHIO:

Section 1. That the Administrative Agreement is hereby approved in the form attached to this Ordinance and that the Mayor and Auditor are hereby authorized and directed to execute said agreement on behalf of the City.

Section 2. That this Ordinance shall be in full force and effect at the earliest period allowed by law.

Passed: *July 27*, 1990

*Robert K. Schmitz*  
President of Council

Attest: *J. W. Derby*  
Clerk of Council

Approved: *Feb. 27* 1990

*D. H. Madison*  
David H. Madison  
Mayor

*Jan. 23, 1990 - 1<sup>st</sup> reading*  
*Feb. 13, 1990 - 2<sup>nd</sup> reading*  
*Feb. 27, 1990 - 3<sup>rd</sup> reading*  
*adopted*

## MORPC ADMINISTRATIVE AGREEMENT

The purpose of this letter is to execute an agreement between the Mid-Ohio Regional Planning Commission (MORPC) and the undersigned participating community ("Community") within the boundaries of the District 3 Public Works Integrating Committee ("Committee").

Under the terms of this agreement, MORPC will assist Community by providing the necessary services as more fully identified in the Attachment A hereto relative to the planning, preparation and coordination for Issue Two (Ohio Public Works Commission) and H.B. 381 (Local Transportation Improvement Program, LTIP) infrastructure projects for the Committee ("Projects").

Community agrees to reimburse MORPC for its actual costs, including fringe and overhead rates, as incurred in the execution of this assignment as follows:

Community agrees to pay MORPC a sum equal to 0.8% of the grant award of Issue 2 and H.B. 381 funds received by Community for awards made on or prior to December 31, 1990, and a sum equal to 1.0% of the grant award of Issue 2 or H.B. 381 funds received by Community for awards made after December 31, 1990. Exception: awards made during Round One are exempt from payment. Community understands that this payment may not come from Issue 2 funds, is not an eligible cost associated with the Project, and is a voluntary payment that in no way will influence the decision whether to submit the Project to the Community or the Ohio Public Works Department for funding. Such sum shall be due and payable within thirty (30) days of receipt of the award of grant funds.

If after audit, MORPC determines that its actual costs are in excess of the fee previously charged, Community agrees to pay an additional fee equal to the lesser of: the actual costs incurred by MORPC or, the fee initially charged plus 10%. Such additional fee shall be due and payable within thirty (30) days of receipt of notice from MORPC as to the amount of the additional fee.

If after audit, MORPC determines that its actual costs are less than the fee previously charged, MORPC agrees to rebate or otherwise credit to the community an amount equal to the difference between the actual cost and the fee previously paid.

Community understands that neither MORPC, nor the Committee has any authority regarding award of Issue 2 and H.B. 381 funds, other than to submit the Project to the Ohio Public Works Department, which is the only entity authorized to award grants of such funds.

This agreement will commence upon execution hereof and be effective until terminated by either MORPC or Community giving 30 days written notice of such termination to the other party hereto.

If you agree with the terms and conditions set forth herein, please signify by signing both of the original copies of this letter and return one copy to this office.

Thank you for your cooperation and we look forward to working with your community and the Committee in carrying out these staffing tasks.

Sincerely,

William C. Habig  
Executive Director, MORPC

COMMUNITY

\_\_\_\_\_  
Date

City of Berkeley  
Designated Community

By D. Johnson

By J. Habig

Date July 27, 1990

\_\_\_\_\_  
Baker Hostetler  
MORPC Legal Counsel

\_\_\_\_\_  
Date

## Attachment A

### STATE BOND ISSUE TWO/H.B. 381

#### DISTRICT 3 PROGRAM ADMINISTRATIVE/TECHNICAL SERVICES

##### Background

The Local Government Committee of the Mid-Ohio Regional Planning Commission (MORPC) has been considering the infrastructure needs of Franklin County since August of 1983. This is a broad, diverse, complicated and important subject that requires a great amount of time to achieve desired results. The problems are great nationwide, statewide, and in metropolitan areas.

The results from the surveys conducted by the MORPC Local Government Committee showed there are major infrastructure needs in Franklin County, being in excess of five hundred million dollars through 1989, excluding any major expenditures associated with water supply and distribution. The survey of capital budgeting shows there is need for improvement in this area as well. Of the 44 questionnaires sent out, 23 were returned of which 65% use some form of capital budgeting.

Legislation passed in the Fall of 1987 (Am. Sub. H.B. 704) and Amended Substitute H.B. 381, effective July 1, 1989, provides a funding mechanism that begins to address the infrastructure needs within Franklin County, although falling considerably short of resolving the infrastructure deficiencies that exist and will continue to exist for years to come.

Since the passage of these two funding tools for addressing the infrastructure needs within Franklin County, the Mid-Ohio Regional Planning Commission has been involved with providing political subdivisions within Franklin County guidance on the program. MORPC was chosen by the District 3 Public Works Integrating Committee to staff the District 3 Committee in evaluating and submitting projects to the State of Ohio Public Works Commission for Round One of Issue Two funding, as well as future rounds under Issue Two and H.B. 381.

To date, the administrative staffing, reproduction, and mailing costs necessary to insure a timely submission to the State have all been absorbed by MORPC.

On 10/10-11/9, 1989, the District 3 Public Works Integrating Committee, aware of the costs involved, approved a funding methodology that will provide for program administration funding.

### Administrative Services

Prepare meeting agendas in coordination with the District Committee;

Meet at least on a quarterly basis to discuss policy issues and direction of program.

Make available equipment and facilities for Committee business.

Prepare and maintain correspondence and records of the Committee including meeting minutes.

Maintain a master file for community inventory of needs and 5-year capital improvement plans as well as updated versions of these required reports.

### Technical Services

- (1) Analyze the impact of Am. Sub. H.B. 381, which is projected to increase dollars available to the District 3 Committee by an estimated \$3.6-\$4.2 million dollars, specifically to meet highway or bridge needs that are of critical importance to the safety of the citizens of the applicant subdivision.
- (2) In light of the additional dollars available to District 3 under H.B. 381, for highway and bridge needs, staff will assist the Committee in revising project criteria for funding projects through the existing District allocation.
- (3) There are currently 14 Franklin County political jurisdictions not participating in the Issue 2 and gas tax funding Program: the City of Hilliard; the Villages of Harrisburg, New Albany, New Rome, and Riverlea; and the townships of Blendon, Hamilton, Jackson, Norwich, Plain, Perry, Sharon, Truro, and Washington. Staff will assist these communities by providing updated information on the Issue 2 program, and H.B. 381 and advising them in preparing an inventory of infrastructure needs, and 5-year capital improvement plans. Staff will not be responsible for preparing these inventories and 5-year plans, but will provide direction in their preparation, in light of District 3 Funding Criteria.
- (4) Staff will provide information to the local communities as it becomes available. Staff will assist communities in preparing eligible projects under H.B. 381 to be considered by the District Committee. Transportation staff will coordinate these project submissions with the federally funded TIP.
- (5) Staff will assist the Committee by working with communities in preparing the next round of Issue 2 project requests by establishing a schedule for project submission, distributing information provided by the OPWC to all jurisdictions, attending public hearings on the rules promulgated by the OPWC, and distributing

that information to all Franklin County communities. Staff will assist the Committee in evaluating community projects, establishing priorities based on existing and revised funding criteria, and meeting all deadlines established by the OPWC.

Staff will insure that community project applications are complete, contain the proper signatures and engineer's estimates and seal, the correct budget amounts, eligible costs, address the ten criteria under 164.06 and then resolve any discrepancies in the submitted information. Local communities may be required to provide information reasonably necessary to evaluate the projects.

- (6) Staff will conduct at least one annual workshop at MORPC to discuss Issue 2 infrastructure needs and district priorities, and disseminate information obtained from the OPWC, County Commisisoners Association of Ohio, the Ohio Municipal League and other appropriate agencies responsible for reviewing and evaluating Issue 2 and H.B. 381 issues and policies and suggested changes. Local officials and their staff, available District 3 members, and selected state officials will be invited to participate in any workshop(s).
- (7) The OPWC will, by 1991, require a format for District inventories and capital improvement plans. Staff will assist in developing a District-wide plan and priorities based upon each participating political jurisdiction's plans, if the OPWC mandates a District-wide plan.
- (8) Staff will not be responsible for local project engineering or management, but will respond to questions raised by local officials regarding compliance and the obtaining of information from OPWC based upon these questions/concerns.
- (9) Provide month-to-month staffing of the District 3 Committee, including the following tasks:

Submit project summaries and evaluations to Committee for action;

Maintain a master listing of selected projects and their schedules for the \$87 million ten year Issue 2 program and the estimated \$40 million H.B. 381 program. Provide multi-governmental unit project coordination to maximize the use of federal and state grants and other monies and to facilitate projects which affect more than one Member.

Each MORPC department would participate in coordinating funding sources and needed projects from within its area of expertise.