COUNTY AGENDA REQUEST

Department:	Public Works	Presenter(s):	Phil Mallon
Meeting Date:	Thursday, December 12, 2013	Type of Request:	Consent

Wording for the Agenda:

Approval of staff's request to adopt the Georgia Department of Transportation's Local State Route Acceptance Resolution and Contract for Maintenance of Highways Numbered 3609M for the proposed widening of State Route 54 (GDOT PI No. 721440).

Background/History/Details:

As part of the Plan Development Process, the Georgia Department of Transportation (GDOT) has provided both Clayton and Fayette Counties with Resolutions and Contracts specifying the operations and maintenance requirements of each jurisdiction for roadways within the State Route 54 road widening project's limit of construction.

Specifically for Fayette County, the portion of Banks Road from Deer Forest Trail to State Route 54 will be designated as temporary State Route 1260. During construction, GDOT will make improvements to this section of roadway and, upon completion of the project, it will revert back to Fayette County for future operations and maintenance.

These are standard documents by GDOT and there is no direct cost to Fayette County.

What action are you seeking from the Board of Commissioners?

Approval of staff's request to adopt the Georgia Department of Transportation's Local State Route Acceptance Resolution and Contract for Maintenance of Highways Numbered 3609M for the proposed widening of State Route 54 (GDOT PI No. 721440).

If this item requires funding, please describe:

Not Applicable.

Has this request been considered within the past two years?	No	If so, when?	
Is Audio-Visual Equipment Required for this Request?*	No	Backup Provided with Request?	Yes

**** All audio-visual material must be submitted to the County Clerk's Office no later than 48 hours prior to the meeting. It is also your department's responsibility to ensure all third-party audio-visual material is submitted at least 48 hours in advance.***

Approved by Finance	Not Applicable	Reviewed by Legal	
Approved by Purchasing	Not Applicable	County Clerk's Approval	Yes
Administrator's Approval			

Staff Notes:

Keith Golden, P.E., Commissioner

GEORGIA DEPARTMENT OF TRANSPORTATION

One Georgia Center, 600 West Peachtree Street, NW
Atlanta, Georgia 30308
Telephone: (404) 631-1000

November 5, 2013

The Honorable Steve Brown, Chairman
Fayette County Board of Commissioners
140 Stonewall Avenue West
Fayetteville, GA 30214-2198

Re: Project No. STP00-0164-01(029) Fayette and Clayton
P.I. No. 721440

Dear Chairman Brown:

Enclosed are two copies of the Local State Route Acceptance Resolution for the proposed State Route 54 widening. Please sign the resolutions and return the copy to us and retain the other one for your file. Also enclosed are three copies of the Contract for Maintenance of Highways Numbered 3609M. Please sign all copies and return them as well.

If there are any questions, please contact Jack Reed of this office at 706-646-6982.

Yours very truly,

Thomas B. Howell, P.E.
District Engineer

By: Jack Reed
District Planning and Programming Engineer

TBH:AJR:cb

Enclosures

LOCAL STATE ROUTE ACCEPTANCE RESOLUTION

GEORGIA, Fayette and Clayton Counties

WHEREAS, the Commissioners of Fayette and Clayton Counties (hereinafter called the Counties) are being notified that the Georgia Department of Transportation (hereinafter called the Department) intends to widen and realign State Route 54 in said Counties as described in Order 3609 and as shown on the sketch maps attached thereto; and

WHEREAS, upon execution of forthcoming Order 3609, the Clayton County shall accept title and ownership of the property on the old section of State Route 54 being removed from the State System; and

WHEREAS, the Department shall continue to retain jurisdictional authority and maintenance responsibility on the section of State Route 54 being removed from the State System until the improvements referenced in Order 3609 are completed;

WHEREAS, the Counties will accept as appropriate for maintenance, ownership, utility accommodation, and as part of their local road systems temporary State Routes 1260, 1260TA and 1260TB, and the old section of State Route 54 which will remain open as a public road when removed from the State Highway System upon completion of the work required by the Department as stated above; and

WHEREAS, when removed from the State Highway System, temporary State Routes 1260, 1260TA and 1260TB shall be returned to the Counties as appropriate, and the Counties shall by operation of law have jurisdictional as well as maintenance and operational authority over said State Routes; and

WHEREAS, upon completion of the road improvements described in said Order, the Counties shall as appropriate by operation of law have jurisdictional as well as maintenance and operational authority over temporary State Routes 1260, 1260TA and 1260TB and the old section of State Route 54 that will remain open as a public road;

FOR FAYETTE COUNTY TO RETAIN FOR THEIR FILES

WHEREAS, the advancement of this project to construction is contingent upon the execution of this Resolution.

NOW, THEREFORE, IT IS RESOLVED that the Counties will execute this Resolution and that a signed copy of this Resolution be furnished to the Department.

This_____day of_____, 2013

_____ Attest: _____

Chairman, Fayette County
Board of Commissioners

Clerk, Fayette County

This_____day of_____, 2013

_____ Attest: _____

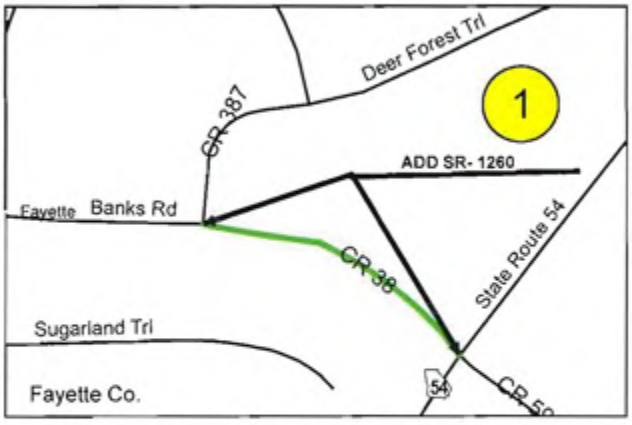
Chairman, Clayton County
Board of Commissioners

Clerk, Clayton County

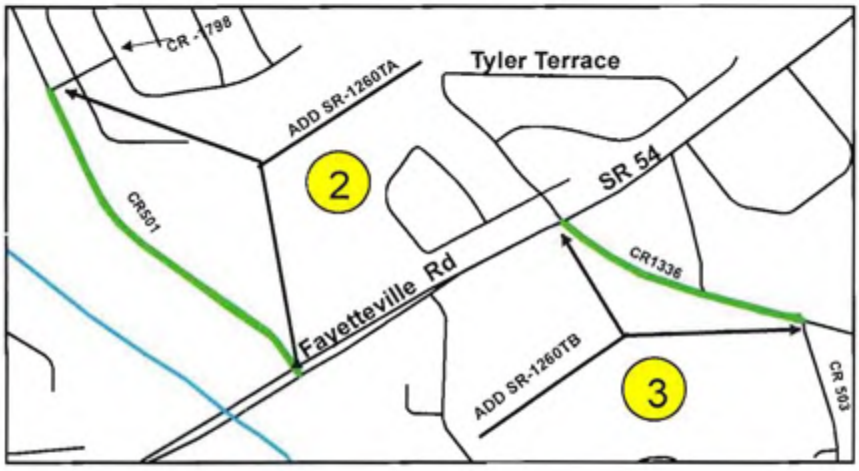
LOCATION MAP

3609

3609



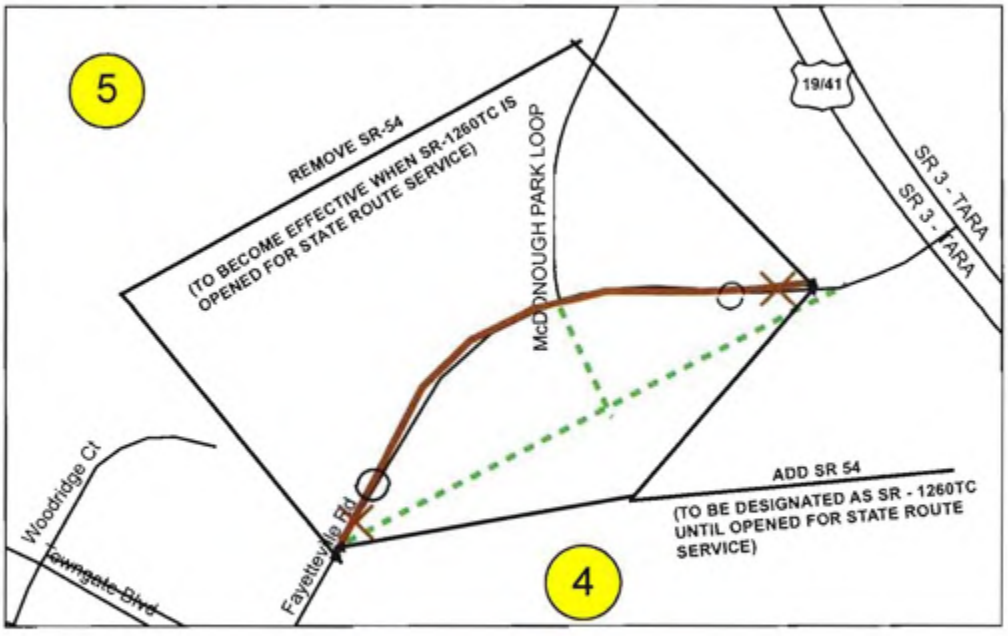
INSET 1



INSET 2

GEORGIA DEPARTMENT OF TRANSPORTATION
Office of Transportation Data
Proposed Revisions to the State Highway System
in
CLAYTON AND FAYETTE COUNTIES
State Routes 54, 1260, 1260TA, 1260TB, 1260TC and
County Roads 501, 1336, 38

ADDITION — PROPOSED ADDITION
REMOVAL — Obliteration
Date:



INSET 3

CONTRACT FOR MAINTENANCE OF HIGHWAYS

NUMBERED 3609M

THIS AGREEMENT made and entered into this *_____ day of *_____, 2013, by and between the Department of Transportation of Georgia (hereinafter called the Department) and the Chairmen and Board of Commissioners of Fayette and Clayton Counties (hereinafter called the Counties), to be effective on the _____ day of _____, 2013.

WITNESSETH:

WHEREAS, the Counties are being notified that sections of Banks Road (Fayette County Road 38), Thomas Road (Clayton County Road 501) and Mundys Mill Road (Clayton County Road 1336) will be added as State Routes 1260, 1260TA and 1260TB while designated as part of the State Highway System; and

WHEREAS, the Department and the Counties agree that it will be advantageous to all parties hereto, as well as to the traveling public, for the Counties to continue to accommodate utilities and to fully maintain the aforementioned County Roads (State Routes 1260, 1260TA and 1260TB) while these sections of roadway are on the State Highway System; and

WHEREAS, the parties hereto are acting under the authority of the Constitution of the State of Georgia, Article IX, Section III, paragraph I (1983).

NOW THEREFORE, in consideration of the sum of One Dollar by each of the parties to the other in hand paid, the receipt whereof is hereby acknowledged, and the mutual covenants herein contained, the parties hereto agree as follows:

Continued…

(1) The Counties will continue to fully maintain, as may be required by law for county roads, within their respective jurisdictions and within the limits of rights-of-way the sections of Fayette County Road 38, Clayton County Roads 501 and 1336 while designated as State Routes 1260, 1260TA and 1260TB. Said sections of roadway are shown on the attached sketch map marked "Exhibit A" which by reference is incorporated herein and made a part of this instrument for the purpose of describing the roads to be maintained under this agreement.

(2) To the extent authorized by law, the Counties agree to indemnify and hold harmless the Department from all suits, claims for damages, or causes of action brought on account of the County's failure to perform those maintenance activities required by this contract as associated with the aforementioned State Routes.

(3) The Department agrees that these sections of roadway will remain on the State Highway System and designated as State Routes 1260, 1260TA and 1260TB until the improvements are completed. The Department shall provide written notice to the Counties as to the date that State Routes 1260, 1260TA and 1260TB are removed from the State Highway System and the date of final termination of this contract.

IN WITNESS WHEREOF, this instrument has been and is executed by the Commissioner on behalf of the Department and on behalf of Fayette and Clayton Counties by their Chairman, he being duly authorized to do so by the Board of Commissioners of said Counties.

Continued...

PAGE THREE OF THREE

This on the date and year below written

Executed on behalf of the Department

this _____day of _____, 2013.

By: _____
Commissioner, Georgia
Department of Transportation

ATTEST:

_____
Treasurer, Georgia
Department of Transportation

Executed on behalf of Fayette County

this * _____ day of * _____, 2013.

By: * _____
Chairman, Fayette County
Board of Commissioners

ATTEST:

* _____
Clerk, Fayette County

This on the date and year below written

Executed on behalf of the Department

this _____day of _____, 2013.

By: _____
Commissioner, Georgia
Department of Transportation

ATTEST:

_____
Treasurer, Georgia
Department of Transportation

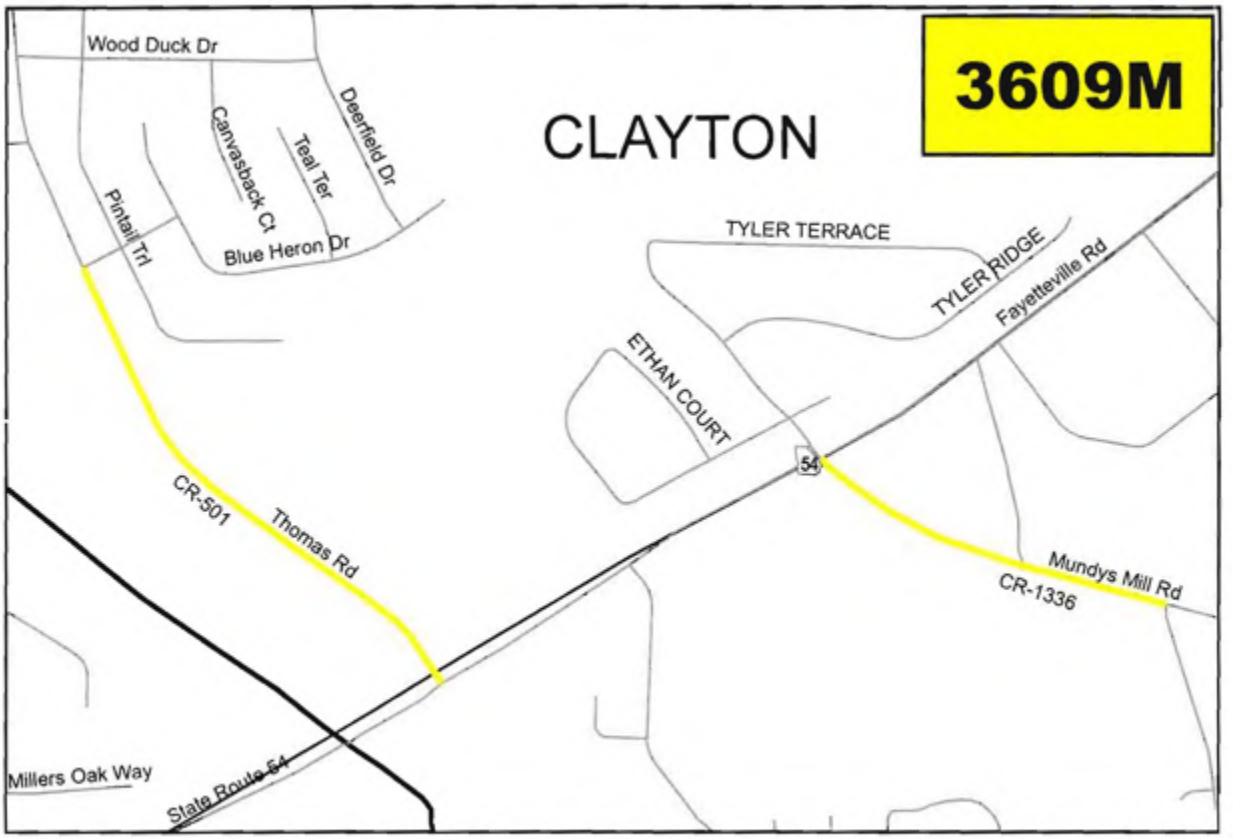
Executed on behalf of Clayton County

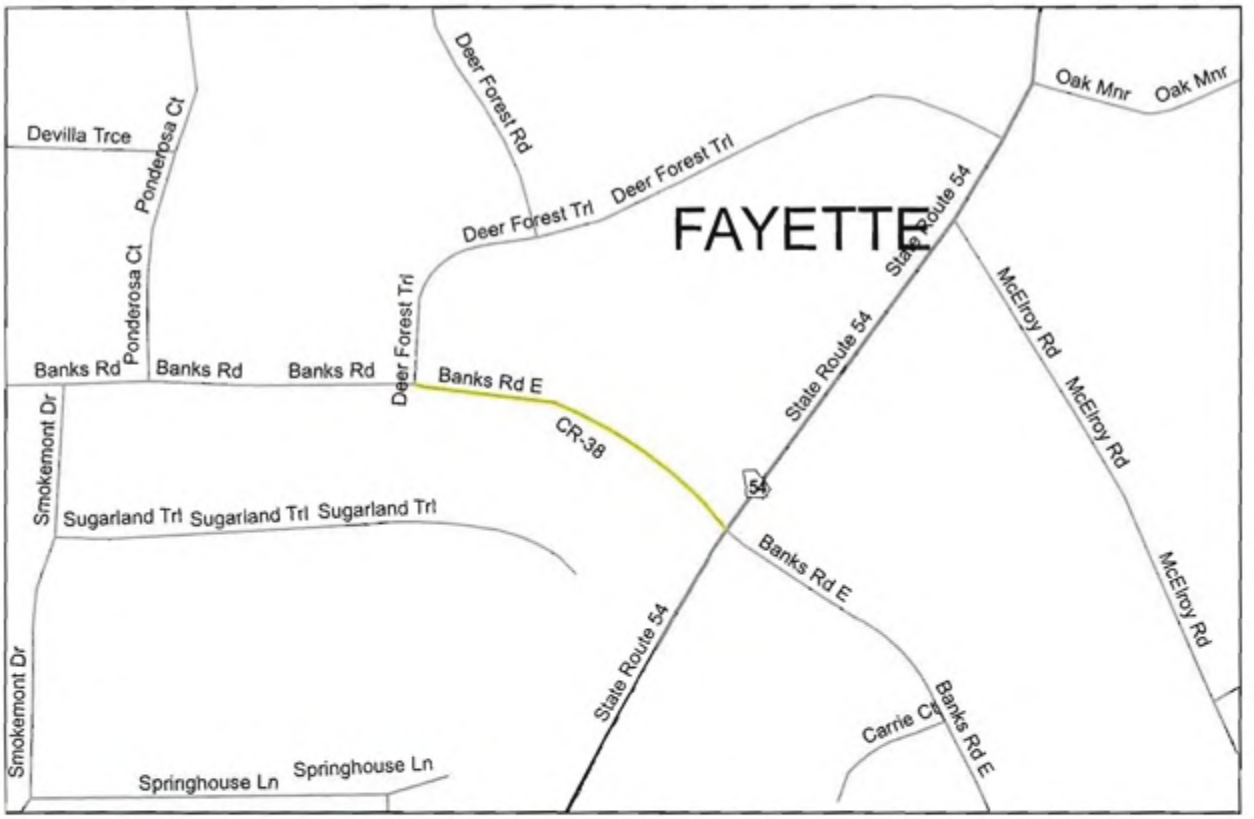
this_____ day of _____, 2013.

By: _____
Chairman, Clayton County
Board of Commissioners

ATTEST:

_____
Clerk, Clayton County


3609M
CLAYTON
Wood Duck Dr
Deerfield Dr
Canvasback Ct
Teal Ter
Pintail Trl
Blue Heron Dr
TYLER TERRACE
TYLER RIDGE
Fayetteville Rd
ETHAN COURT
54
CR-501
Thomas Rd
Mundys Mill Rd
CR-1336
Millers Oak Way
State Route 54


FAYETTE
Devilla Trce
Ponderosa Ct
Ponderosa Ct
Deer Forest Rd
Deer Forest Trl
Deer Forest Trl
Deer Forest Trl
Oak Mnr
Oak Mnr
State Route 54
McElroy Rd
McElroy Rd
McElroy Rd
Banks Rd
Banks Rd
Banks Rd
Banks Rd E
CR-38
54
State Route 54
Smokemont Dr
Sugarland Trl
Sugarland Trl
Sugarland Trl
Banks Rd E
State Route 54
Carrie Ct
Banks Rd E
Smokemont Dr
Springhouse Ln
Springhouse Ln

"EXHIBIT A"

AUTHORIZING RESOLUTION

GEORGIA, Fayette and Clayton Counties

WHEREAS, Fayette and Clayton Counties (hereinafter called the Counties) were notified that sections of Banks Road (Fayette County Road 38), Thomas Road (Clayton County Road 501) and Mundys Mill Road (Clayton County Road 1336) are being added to the State Highway System as State Routes 1260, 1260TA and 1260TB by an Order of the Commissioner of the Georgia Department of Transportation (hereinafter called the Department) as shown on the attached sketch map 3609M; and

WHEREAS, the Counties and the Department agree that it is in the public interest and in the interest of all parties hereto, for the Counties and the Department to enter into a contract numbered 3609M wherein the Counties will agree to fully maintain the aforementioned roadways while designated as State Routes 1260, 1260TA and 1260TB.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of said Counties that their Chairman is hereby authorized to execute said contract on behalf of the Counties; and that a copy of this Resolution be furnished to the Department.

This on the date and year below written

Executed on behalf of the County this *____day of *_____, 2013

By: *_____ Attest: *_____
Chairman, Fayette County Board of Commissioners — Clerk, Fayette County

This on the date and year below written

Executed on behalf of the County this _____day of_____, 2013

By: _____ Attest: _____
Chairman, Clayton County Board of Commissioners — Clerk, Clayton County