



MEMORANDUM OF UNDERSTANDING
BETWEEN
STATE OF OHIO, DEPARTMENT OF TRANSPORTATION
AND
CITY OF WATERVILLE

This Memorandum of Understanding (“MOU”) is made between the State of Ohio, Department of Transportation (“ODOT”), having an address of 1980 West Broad Street, Columbus, Ohio 43223; and the City of Waterville (“City”), having an address of 25 North Second Street, Waterville, OH.

General Awareness

- The condition of the arch barrels will not look exactly as the AI rendering depicts.
- The condition of the arch barrels will be rough and weathered.
- Hanging rebar will be cut as close to the arch barrels as possible. You will be able to see rebar after the projects is finalized.
- There will be no patching of concrete as part of the ODOT project.
- The City will be assuming all risk, liability, and ownership of the bridge. The risk and liability will fall on the contractor during the construction contract.
- Deadline to take ownership of the bridge is June 15, 2026.
- The City will receive no money or other form of compensation from ODOT as a condition of or after taking ownership of the bridge. Kokosing's estimate for the partial demolition is higher than the original budgeted \$4,000,000 for the project.
- Kokosing's estimate for the partial demolition project is \$4,287,754.15. Any extra costs associated with the partial demolition or potential full demolition project will be the responsibility of ODOT. The City will only be financially responsible for extra work requested by the City.
- After the conclusion of the construction project, all future costs associated with owning the bridge will be the full responsibility of the City.
- The USACE continues to have the right to direct removal of the bridge if pieces fall into the river or for other reasons determined by the USACE.

- All requests shall flow from the City to ODOT in writing; no other parties are to interfere.
- Upon the City taking ownership, the three parties involved shall be the City, ODOT, and Kokosing.

Long-term requirements for the City to consider include, but are not limited to:

- If the bridge over bridge concept or other project is moved forward, plans will need to be stamped by a licensed professional engineer.
- If Federal funding is used for any project associated with the arch bridge, the engineer of record must be bridge level 3 prequalified. It is the City's responsibility to ensure this prequalification is met.
- If in the future the bridge is used to accommodate pedestrians inspections shall be performed to ensure safety. It will be the City's responsibility to hire a company and fund the inspections.
- If the City moves forward with a project involving the bridge, it may be required to coordinate with multiple regulatory and permitting agencies.

Conditions during construction

- The partial demolition project is an ODOT project and the contract is held between ODOT and Kokosing.
- Only ODOT is permitted to dictate work to Kokosing.
- The City is not permitted to dictate work to Kokosing.
- Any additional work not currently included in the project will be coordinated and permitted by ODOT and Kokosing.
- Kokosing is under no obligation to approve any requests for additional work during the course of their contract with ODOT.
- Any request for additional work, testing (cores), or other actions by the City must be requested in writing to ODOT by the City Administrator. If approved, all funding associated with the additional work will be fully funded by the City.
- The City will be invited to the preconstruction meeting and all progress meetings for the project. Only City representatives are permitted to attend these meetings.
- Kokosing is the sole owner of the demolition debris from the project.

Questions to be resolved and disclosure of important materials

- No reports or other information provided to ODOT have been stamped or certified by a Professional Engineer.
- No reports or other information provided to ODOT have been approved or accepted.

- All meeting minutes and notes have been provided to the City and are available for distribution.
- ODOT has received the following documents and has shared them with the City
 - Letters
 - Sean Meddles, PE, Administrator, ODOT Office of Structural Engineering
 - Mike Brokaw, PE, Burgess and Niple
 - Dr. Douglas Nims, PhD, PE, University of Toledo Professor Emeritus
 - Physical Condition Report
 - Jared Backs, PE and Edmund Hayes, PE, ODOT Office of Structural Engineering

Conditions that lead to a full demolition of the bridge

- Partial or full collapse of an arch barrel or pier.
- Any cracking, visual or audible instability, superstructure or substructure instability or deformation.
- Concrete pieces falling from the arch barrels.
- Kokosing seeing an unsafe condition in the field and not feeling comfortable proceeding.
- By recommendation of ODOT and/or Kokosing, after discussion with the City.
- Kokosing's demolition engineer determines partial demolition requires extra work causing the estimate to exceed \$4,400,000
- Kokosing's demolition engineer determines partial demolition is not feasible.

The considerations listed above are not intended to constitute an exhaustive or all-inclusive list. They are presented merely as a baseline of identified factors.

The Parties acknowledge their mutual understanding and agreement to the risks, liabilities, and commitments detailed above.

City of Waterville

State of Ohio, Department of Transportation

Jon Gochenour, City Administrator

Patrick McColley, District 2 Deputy Director

Date: _____

Date: _____