



## Legislation Details (With Text)

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**File #:** 1343-2023      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 4/29/2023      **In control:** Public Utilities Committee

**On agenda:** 7/17/2023      **Final action:** 7/21/2023

**Title:** To authorize the Director of Public Utilities to enter into an agreement and all necessary amendments with the State of Ohio, Department of Transportation (ODOT), for the Division of Sewerage and Drainage to provide interstate pump station maintenance and receive reimbursement from the State; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/21/2023	1	CITY CLERK	Attest	
7/20/2023	1	ACTING MAYOR	Signed	
7/17/2023	1	Columbus City Council	Approved	Pass
7/17/2023	1	COUNCIL PRESIDENT	Signed	

This legislation authorizes the Director of Public Utilities to enter into an agreement and all necessary amendments with the State of Ohio, Department of Transportation (ODOT), for interstate pump station maintenance. In the interest of public safety and convenience, it is the desire of the parties hereto that the City of Columbus shall perform maintenance on, and make repairs to, all pump stations identified on I-71, I-70 and I-670 (“the Interstate Highways”) using its own labor forces, equipment and materials, or by contracting for these items, with reimbursement from the State.

The term of the original agreement was from July 1, 2002 through June 30, 2003. This 19<sup>th</sup> Amendment will be for the period of July 1, 2023 through June 30, 2024.

ODOT shall reimburse the City at a fixed rate of \$121.96 per hour for the City labor, equipment and materials, or contracted labor, equipment and materials, used to perform the routine maintenance and operation of the interstate pump stations as defined in Paragraph 1.6 of the Agreement. In addition to pump station maintenance reimbursement, the City shall invoice the State monthly, or cause a utility company to invoice the State, for the cost of energy furnished to the pump station. The fixed rate may be adjusted each year on July 1<sup>st</sup> only by written amendment to this Agreement executed by ODOT and the City.

All other terms and conditions of the original Agreement shall remain the same and in full force and effect for the duration of this 19<sup>th</sup> Amendment.

**FISCAL IMPACT:**

The Division of Sewerage and Drainage shall be reimbursed at a fixed per hour rate for the City labor, equipment and materials, or contracted labor, equipment and materials, used to perform the routine maintenance and operation of the interstate pump stations. The City shall either be reimbursed for the cost of energy furnished to the pump station or cause a utility company to invoice and be paid directly from the State.

**EMERGENCY DESIGNATION:**

This ordinance is being submitted as an emergency to avoid a lapse between the 18<sup>th</sup> amendment to the Agreement (expiring 6/30/2023) and the start of the 19<sup>th</sup> (authorized by this ordinance), which would result in delays in the delivery of valuable public services to ODOT for the necessary interstate pump station maintenance.

To authorize the Director of Public Utilities to enter into an agreement and all necessary amendments with the State of Ohio, Department of Transportation (ODOT), for the Division of Sewerage and Drainage to provide interstate pump station maintenance and receive reimbursement from the State; and to declare an emergency. (\$0.00)

**WHEREAS**, the State of Ohio, Department of Transportation, is responsible for the maintenance and repairs of all pump stations identified on I-71, I-70 and I-670 (“the Interstate Highways”); and

**WHEREAS**, in the interest of public safety and convenience, it is the desire of the parties hereto that the City of Columbus shall perform maintenance on, and make repairs to, all pump stations identified on the Interstate Highways using its own labor forces, equipment and materials, or by contracting for these items, with reimbursement from the State; and

**WHEREAS**, it is in the interest of the City of Columbus and the State of Ohio to authorize the Director of Public Utilities to enter into an agreement and all necessary amendments with the State of Ohio, Department of Transportation, for interstate pump station maintenance; and

**WHEREAS**, the term of the original agreement was from July 1, 2002 through June 30, 2003 and this 18<sup>th</sup> Amendment will be for the period of July 1, 2023 through June 30, 2024; and

**WHEREAS**, the Division of Sewerage and Drainage shall be reimbursed at a fixed per hour rate for the City labor, equipment and materials, or contracted labor, equipment and materials, used to perform the routine maintenance and operation of the interstate pump stations; and the City shall either be reimbursed for the cost of energy furnished to the pump station or cause a utility company to invoice and be paid directly from the State; and

**WHEREAS**, the fixed rate may be adjusted each year on July 1<sup>st</sup> only by written amendment to this Agreement executed by ODOT and the City; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, in that it is immediately necessary to authorize the Director of Public Utilities to enter into an agreement and all necessary amendments with the State of Ohio, Department of Transportation, to allow the Division of Sewerage and Drainage to provide necessary interstate pump station maintenance for the preservation of the public health, peace, property and safety; **now, therefore**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Public Utilities is hereby authorized to enter into an agreement and all necessary amendments with the State of Ohio, Department of Transportation, for the Division of Sewerage and Drainage to provide the necessary interstate pump station maintenance services, in accordance with the terms and conditions as shown in the agreement and amendments on file in the office of the Division of Sewerage and Drainage.

**SECTION 2.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure, and shall take effect and be in force from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.