



## Legislation Details (With Text)

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**File #:** 0726-2016      **Version:** 1

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

**File created:** 3/9/2016      **In control:** Public Service & Transportation Committee

**On agenda:** 3/28/2016      **Final action:** 3/30/2016

**Title:** To authorize the Director of Public Service to enter into multiple agreements with the Central Ohio Transit Authority (COTA) relative to the construction and maintenance of the FRA-COTA Cleveland Avenue Bus Rapid Transit (BRT) project; to accept payments from COTA for services rendered by the Department of Public Service during and after the completion of that project; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/30/2016	1	CITY CLERK	Attest	
3/29/2016	1	MAYOR	Signed	
3/28/2016	1	COUNCIL PRESIDENT	Signed	
3/28/2016	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into multiple agreements with the Central Ohio Transit Authority (COTA) relative to the FRA-COTA Cleveland Avenue Bus Rapid Transit (BRT) project, to accept payments from COTA to the Department of Public Service for performing various services during and after the completion of said project, and to execute agreement modifications as necessary.

COTA intends to construct or cause to be constructed a 15.6-mile high capacity transit project comprised of a combination of BRT services operating in mixed traffic primarily along Cleveland Avenue between downtown Columbus and SR-161, with enhanced bus service continuing north to Polaris Parkway and Africa Road, connecting commuters with various land uses along the corridor through the City of Columbus, Clinton Township, and the Village of Minerva Park in Franklin County, terminating in the City of Westerville in Delaware County. The BRT line will utilize “an operational strategy that facilitates the movement of in-service transit vehicles through traffic-signal controlled intersections” known as the Traffic Signal Priority (TSP) System, which endeavors to reduce transit vehicle travel times and transit schedule variability while minimizing the impact to “conventional” traffic using the same road network.

COTA, the City of Columbus, the City of Westerville, the Village of Minerva Park, Blendon Township, the Franklin County Engineer’s Office, and the Ohio Department of Transportation previously executed a Memorandum of Understanding, describing the general roles and responsibilities of the aforementioned parties concerning the BRT project, in August 2014. COTA, the City of Columbus, the City of Westerville, and the Franklin County Engineer’s Office later entered into an Inter-local Agency Agreement, effective November 13, 2015, certifying the roles and responsibilities to be assumed by each entity relative to the construction and maintenance of the BRT project with the understanding that those pacts would be formalized through separate agreements between COTA and the respective authorities of each jurisdiction.

This legislation authorizes the Director of Public Service to enter into a construction administration agreement with COTA, whereby COTA agrees to pay the Department of Public Service for performing construction administration and inspection services during the construction of the BRT project, which is slated to begin in April 2016. It is projected that the construction of the BRT project will be substantially completed and the TSP System will operational no later than July 1, 2017. Estimated construction costs total \$15,073,828.00, including \$1,370,348.00 for the scope of work to be performed by the Department of Public Service.

This legislation also authorizes the Director of Public Service to enter into a maintenance and operations agreement with COTA for the aforementioned project, whereby COTA agrees to pay the Department of Public Service for maintaining TSP System equipment located within city corporation limits in good repair and operating condition following installation.

## **2. FISCAL IMPACT**

Under the terms of the construction administration agreement, COTA will pay the Department of Public Service for performing construction administration and inspection services during the completion of the FRA-COTA Cleveland Avenue Bus Rapid Transit (BRT) project. The anticipated cost of those services is \$1,370,348.00. Further, pursuant to a separate maintenance and operations agreement between the two entities, COTA will pay the Department of Public Service for costs incurred to maintain Traffic Signal Priority (TSP) System equipment located within city corporation limits in good repair and operating condition following installation.

## **3. EMERGENCY DESIGNATION**

Emergency action is requested to allow for the immediate execution of necessary agreements between COTA and the Department of Public Service so as to allow this project to proceed in accordance with the schedule set by COTA, which calls for the construction of the BRT project to begin in April 2016 and to be substantially completed no later than July 1, 2017.

To authorize the Director of Public Service to enter into multiple agreements with the Central Ohio Transit Authority (COTA) relative to the construction and maintenance of the FRA-COTA Cleveland Avenue Bus Rapid Transit (BRT) project; to accept payments from COTA for services rendered by the Department of Public Service during and after the completion of that project; and to declare an emergency. (\$0.00)

**WHEREAS**, COTA intends to construct or cause to be constructed a 15.6-mile high capacity transit project comprised of a combination of BRT services operating in mixed traffic primarily along Cleveland Avenue between downtown Columbus and SR-161, with enhanced bus service continuing north to Polaris Parkway and Africa Road, known as the FRA-COTA Cleveland Avenue Bus Rapid Transit (BRT) project; and

**WHEREAS**, the BRT line will utilize “an operational strategy that facilitates the movement of in-service transit vehicles through traffic-signal controlled intersections” known as the Traffic Signal Priority (TSP) System, which endeavors to reduce transit vehicle travel times and transit schedule variability while minimizing the impact to “conventional” traffic using the same road network; and

**WHEREAS**, a Memorandum of Understanding was developed and signed by COTA, the City of Columbus, the City of Westerville, the Village of Minerva Park, Blendon Township, the Franklin County Engineer’s Office, and the Ohio Department of Transportation in August 2014, describing the general roles and responsibilities of the aforementioned parties concerning the BRT project; and

**WHEREAS**, COTA, the City of Columbus, the City of Westerville, and the Franklin County Engineer’s Office entered into an Inter-local Agency Agreement, effective November 13, 2015, certifying the roles and responsibilities to be assumed by each entity relative to the construction and maintenance of the BRT project; and

**WHEREAS**, pursuant to that agreement, the City of Columbus, through its Department of Public Service, agreed to

provide construction administration and inspection services for associated improvements within city corporation limits during the completion of the BRT project and ongoing maintenance of the TSP System following installation, and COTA agreed to pay the Department of Public Service for the provision of the aforementioned services; and

**WHEREAS**, that agreement further stipulated that COTA and the City of Columbus enter into separate agreements to that effect at a later time; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to enter into construction administration and maintenance and operation agreements with COTA, to accept payments from COTA for services rendered by the Department of Public Service during and after the completion of the BRT project, and to execute agreement modifications as necessary; and

**WHEREAS**, an emergency exists in the usual operation of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to enter into said agreements with COTA in order for this project to proceed according to the proposed schedule, which calls for construction to be substantially completed and the TSP System to be operational no later than July 1, 2017, thereby preserving the public health, peace, property, safety, and welfare; now, therefore

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

**SECTION 1.** That the Director of Public Service be and hereby is authorized on behalf of the City to enter into multiple agreements with COTA relative to the construction and maintenance of the Cleveland Avenue Bus Rapid Transit (BRT) project.

**SECTION 2.** That the Director of Public Service is authorized to accept payments from COTA to the Department of Public Service for providing construction administration and inspection during the completion of the aforementioned project and the ongoing maintenance of Traffic Signal Priority (TSP) equipment within city corporation limits following installation.

**SECTION 3.** 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.