



Legislation Details (With Text)

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On agenda: 3/31/2008 **Final action:** 4/2/2008

Title: To authorize the City Attorney to execute those documents necessary to enter into an agreement, with independent appraiser Ronald M. Eberly Jr. for an additional professional services necessary to the Alum Creek Drive Improvement Project, and to the extent it may be applicable, to waive the requirements of Section 329.11 of the Columbus City Codes as relates to this transaction only; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/2/2008	1	CITY CLERK	Attest	
4/1/2008	1	MAYOR	Signed	
3/31/2008	1	Columbus City Council	Approved	Pass
3/31/2008	1	COUNCIL PRESIDENT	Signed	
3/18/2008	1	City Clerk's Office	Sent back for Clarification/Correction	
3/18/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
3/14/2008	1	Atty Drafter	Sent for Approval	
3/14/2008	1	CITY ATTORNEY	Reviewed and Approved	
3/14/2008	1	Atty Drafter	Sent to Clerk's Office for Council	
3/13/2008	1	Atty Reviewer	Reviewed and Approved	
3/12/2008	1	Atty Drafter	Sent for Approval	

The City is engaged in the Alum Creek Drive Improvement Project. This project consists of the widening and reconstruction of approximately 2.07 miles of Alum Creek Drive from Williams Road northward to Performance Way/Refugee Road South. Total project costs, including design engineering, land acquisition, utility relocation and construction, are estimated to be \$15 million. Construction is anticipated to begin in mid 2011 and be completed by the end of 2013. Successful completion of this project requires that the City acquire fee simple title and lesser interests in and to various properties located along the project corridor and that the City participate in the relocation of existing utilities along these roadways. Ordinance 0386-2007, April 23, 2007 was passed by City Council to provide funding and to authorize the City Attorney to contract for professional services, including the hiring of independent appraisers, necessary for the acquisition of the remaining parcels. Because of the large number of parcels to be acquired and the time allowed for acquisition it is necessary to hire an additional appraiser whose past performance with the City has displayed a high level of competence, excellent quality of work and a consistent success in meeting similar narrow deadlines and because the City is receiving funding from ODOT, is on ODOT's list of qualified appraisers. Appraisers in the Columbus area on ODOT's qualified list was contacted and of those contacted, Ronald M. Eberly Jr. indicated that he can meet the time frames required for the project. The total cost of appraising the parcels assigned exceeds \$20,000.00, but does not exceed \$50,000.00. Ronald M. Eberly Jr. has submitted his qualifications and time frame proposals that meet the aforementioned criteria. It is therefore necessary, to the extent it may be applicable, to request that City Council waive the process for awarding professional service contracts exceeding twenty

thousand dollars, but not exceeding fifty thousand dollars, as relates to this transaction only.

Fiscal Impact: This is a Federal/State/City participation project with 80% of the total right-of-way acquisition costs being paid for with Federal/State funds and 20% of the total costs being paid from City funds. Monies to pay 100% of these costs are budgeted and available within the 2006 CIB in the 1995, 1999, 2004 Voted Streets and Highways Fund. These funds will be transferred to fund 765, the Federal State Highway Engineering Fund. As these funds are expended by the City Attorney's Real Estate Division the Transportation Division will seek reimbursement out of Federal/State funds for 80% of the total dollars spent.

Emergency Justification: Emergency action is requested to allow the City Attorney's Real Estate Division to immediately begin acquisition of the additional rights-of-way needed for this project so that utility relocation and construction of this improvement can proceed as currently scheduled.

To authorize the City Attorney to execute those documents necessary to enter into an agreement, with independent appraiser Ronald M. Eberly Jr. for an additional professional services necessary to the Alum Creek Drive Improvement Project, and to the extent it may be applicable, to waive the the requirements of Section 329.11 of the Columbus City Codes as relates to this transaction only; and to declare an emergency.

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, is engaged in the Alum Creek Drive Improvement Project; and

WHEREAS, this project consists of the widening and reconstruction of approximately 2.07 miles of Alum Creek Drive from Williams Road northward to Performance Way/Refugee Road South; and

WHEREAS, total project costs, including design engineering, land acquisition, utility relocation and construction, are estimated to be \$15 million; and

WHEREAS, construction is anticipated to begin in mid 2011 and be completed by the end of 2013; and

WHEREAS, successful completion of this project requires that the City acquire fee simple title and lesser interests in and to various properties located along the project corridor and that the City participate in the relocation of existing utilities along these roadways; and

WHEREAS, Ordinance 0386-2007, April 23, 2007 was passed by City Council to provide funding and to authorize the City Attorney to contract for professional services, including the hiring of independent appraisers, necessary for the acquisition of the remaining parcels; and

WHEREAS, right-of-way acquisition is to be completed prior to the beginning of construction; and

WHEREAS, it is in the best interest of the City to hire an additional appraiser whose past performance with the City has displayed a high level of competence, excellent quality of work, consistent success in meeting similar narrow deadlines and is on ODOT's list of qualified appraisers; and

WHEREAS, appraisers in the Columbus area on ODOT's qualified list were contacted and of those contacted, Ronald M. Eberly Jr. was one of the appraisers who indicated that he can meet the time frames required for the project; and

WHEREAS, the total cost of appraising the parcels to be assigned exceeds \$20,000.00, but does not exceed \$50,000.00; and

WHEREAS, Ronald M. Eberly Jr. has submitted qualifications and time frame proposals that meet the aforementioned criteria; and

WHEREAS, it is therefore necessary, to the extent it may be applicable, to waive the process for awarding professional service contracts exceeding twenty thousand dollars, but not exceeding fifty thousand dollars, as relates to this transaction only; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary to

allow the City Attorney's Real Estate Division to immediately begin acquisition of the additional rights-of-way needed for this project so that utility relocation and construction of this improvement can proceed as currently scheduled for the immediate 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 City Attorney be, and hereby is, authorized to execute those documents necessary to enter into agreements, severally, with individual Ronald M. Eberly Jr. for professional services necessary to the Alum Creek Drive Improvement Project.

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive all provisions as set forth in the Columbus City Code Section 329.11 relative to the process for awarding professional service contracts to Ronald M. Eberly Jr. exceeding twenty thousand dollars (\$20,000.00), but not exceeding fifty thousand dollars (\$50,000.00), as relates to this transaction only.

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 its passage if the Mayor neither approves nor vetoes the same.