



Legislation Details (With Text)

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Title: To authorize the Director of the Department of Public Service to enter into agreements with CSX Transportation, Norfolk Southern Railway Company, Genesee & Wyoming, and other railroad companies as needed, to facilitate the design and construction of public infrastructure improvements; to authorize the expenditure of up to \$179,990.95; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

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Attachments:

Date	Ver.	Action By	Action	Result
12/7/2023	1	CITY CLERK	Attest	
12/6/2023	1	ACTING MAYOR	Signed	
12/6/2023	1	ACTING MAYOR	Signed	
12/4/2023	1	COUNCIL PRESIDENT	Signed	
12/4/2023	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Director of Public Service to execute agreements with CSX Transportation, Norfolk Southern Railway Company, Genesee & Wyoming, and other railroad companies as needed, to facilitate the design and construction of future public infrastructure improvements in an amount not to exceed \$179,990.95.

The Department of Public Service administers and manages capital improvement projects within the public right-of-way, including resurfacing, roadway reconstruction, bridge rehabilitation and replacement, and other transportation related projects. On occasion, the successful completion of those efforts requires the Department of Public Service to contract with railroad companies relative to work to be performed on or near railroad facilities.

This legislation seeks to authorize the execution of preliminary engineering agreements, construction contracts, and other instruments with those railroad companies for the provision of engineering and construction services necessary to complete the planned improvements.

The intent is for the Director of Public Service, or a designee, to have the authority to execute agreements with CSX Transportation and Norfolk Southern Railway Company relative to the following projects immediately upon the passage of this legislation: Bridge Rehabilitation - Annual Citywide Contract (2022), Bridge Rehabilitation - UIRF - Milo Grogan Second Avenue Improvements, and Arterial Street Rehabilitation - Avery Road Widening. The encumbrance and expenditure of funding to support work performed sanctioned under those agreements was authorized to ordinances 3003-2020 and 2665-2023.

2. FISCAL IMPACT

Auditor certificates ACPO006121 and ACPO009633 previously were established pursuant to ordinances 3003-2020 and 2665-2023, respectively, to support engineering and construction costs incurred relative to the agreements contemplated herein. The maximum amount that will be allocated to these agreements is not to exceed \$179,990.95. No other funding is

needed at this time.

3. EMERGENCY DESIGNATION

Emergency action is requested in order to facilitate the timely execution of the first of several anticipated preliminary engineering agreements, which needs to be executed by Public Service in November, so as to prevent unnecessary delays in the design of needed public infrastructure improvements.

To authorize the Director of the Department of Public Service to enter into agreements with CSX Transportation, Norfolk Southern Railway Company, Genesee & Wyoming, and other railroad companies as needed, to facilitate the design and construction of public infrastructure improvements; to authorize the expenditure of up to \$179,990.95; and to declare an emergency. (\$0.00)

WHEREAS, the Department of Public Service administers and manages capital improvement projects within the public right-of-way, including resurfacing, roadway reconstruction, bridge rehabilitation and replacement, and other transportation related projects; and

WHEREAS, on occasion, the successful completion of those efforts requires the Department of Public Service to contract with railroad companies relative to work to be performed on or near railroad facilities; and

WHEREAS, this ordinance seeks to authorize the Director of Public Service, or a designee, to execute various agreements with CSX Transportation, Norfolk Southern Railway Company, Genesee & Wyoming, and other railroad companies as needed, to facilitate the completion of current and future capital improvement projects, specifically Bridge Rehabilitation - Annual Citywide Contract (2022), Bridge Rehabilitation - UIRF - Milo Grogan Second Avenue Improvements, and Arterial Street Rehabilitation - Avery Road Widening; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the passage of this legislation to facilitate the timely execution of the first of several anticipated preliminary engineering agreements, which needs to be executed by Public Service in November, so as to prevent unnecessary delays in the design of needed public infrastructure improvements, 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 is hereby authorized to execute agreements with CSX Transportation, Norfolk Southern Railway Company, Genesee & Wyoming, and other railroad companies as needed, relative to City-funded and administered capital improvement projects, specifically Bridge Rehabilitation - Annual Citywide Contract (2022), Bridge Rehabilitation - UIRF - Milo Grogan Second Avenue Improvements, and Arterial Street Rehabilitation - Avery Road Widening.

SECTION 2. That the expenditure of \$179,990.95, or so much thereof as may be needed, is hereby authorized pursuant to Auditor certificates ACPO006121 and ACPO009633.

SECTION 3. That this Council recognizes that this ordinance does not identify the exact railroad companies, to whom the agreements will be executed and understands that its passage will give the Director of Public Service the final decision in determination for such agreements. This Council is satisfied it is in the best interests of the City to delegate this decision to the Director.

SECTION 4. All agreements will be entered into in compliance with the relevant procurement provisions of the Columbus City Codes Chapter 329.

SECTION 5. That for the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is 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 (10) days after passage if the Mayor neither approves nor vetoes this ordinance.

