



## Legislation Details (With Text)

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

**File created:** 3/25/2007      **In control:** Public Service & Transportation Committee

**On agenda:** 5/14/2007      **Final action:** 5/15/2007

**Title:** To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and the Franklin County Engineer; and to grant consent and propose cooperation with the State of Ohio and Franklin County for this bridge replacement project on County Road 15 (Livingston Avenue) over Big Walnut Creek for the Transportation Division. (\$0)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By             | Action                             | Result |
|-----------|------|-----------------------|------------------------------------|--------|
| 5/15/2007 | 1    | MAYOR                 | Signed                             |        |
| 5/15/2007 | 1    | CITY CLERK            | Attest                             |        |
| 5/14/2007 | 1    | Columbus City Council | Approved                           |        |
| 5/14/2007 | 1    | COUNCIL PRESIDENT     | Signed                             |        |
| 5/7/2007  | 1    | Columbus City Council | Read for the First Time            |        |
| 4/27/2007 | 1    | SERVICE DIRECTOR      | Reviewed and Approved              |        |
| 4/27/2007 | 1    | CITY ATTORNEY         | Reviewed and Approved              |        |
| 4/27/2007 | 1    | Service Reviewer      | Sent to Clerk's Office for Council |        |
| 4/10/2007 | 1    | Service Reviewer      | Reviewed and Approved              |        |
| 3/25/2007 | 1    | Service Drafter       | Sent for Approval                  |        |

**Background:** This is consent legislation with the Ohio Department of Transportation (ODOT) and Franklin County for a bridge replacement project on County Road 15 (Livingston Avenue) over Big Walnut Creek. The Franklin County Engineer's office will act as the lead agency for this project. (FRA-CR15-7.56 PID 82484)

Since a portion of this project lies within the City of Columbus, this consent ordinance is necessary. Construction of this project is scheduled for State Fiscal Year 2013 and will run approximately twelve months. Franklin County has agreed to work with the City of Columbus to provide pedestrian access across the bridge. This legislation authorizes the Public Service Director to enter into the necessary agreements to complete this project.

**Fiscal Impact:** The estimated total cost of this project is \$2,700,000.00. There is no cost to the City for this project.

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and the Franklin County Engineer; and to grant consent and propose cooperation with the State of Ohio and Franklin County for this bridge replacement project on County Road 15 (Livingston Avenue) over Big Walnut Creek for the Transportation Division. (\$0)

The following is an Ordinance enacted by the City of Columbus, Franklin County, Ohio, hereinafter referred to as the Local

Public Agency (LPA), in the matter of the stated described project.

WHEREAS, the County has identified the need for the described project:

This project proposes to replace the structure on CR15 (Livingston Avenue) over Big Walnut Creek.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

#### SECTION 1 - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation and Franklin County Engineer to complete the above-described project.

#### SECTION 2 - Cooperation Statement

The LPA shall cooperate with the Director of Transportation and the Franklin County Engineer in the described project as follows:

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio and the Franklin County Engineer in the planning, design and construction of the identified highway improvement project and grants consent to the Ohio Department of Transportation for its development and construction of the project in accordance with plans, specifications and estimates as approved by the Director.

Franklin County shall assume and bear one hundred percent (100%) of the costs of preliminary engineering; right-of-way and utility relocation (if applicable). Further, Franklin County shall assume and bear one hundred percent (100%) of the total cost of Construction less the amount of federal funds set aside by the Director of Transportation and the Federal Highway Administration.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

The City agrees that Franklin County will act as the lead agency for the project.

In the event that the City requests certain features or appurtenances be included within the transportation improvement project's design and construction, and which features and appurtenances are determined by the State and the Federal Highway Administration to be not necessary for the transportation improvement project, the City shall, prior to the project being advertised for construction contract bidding purposes, provide appropriate documentation that its council has appropriated, and its Auditor has certified as being available for such specific purposes, funds sufficient in amount to cover one hundred percent of the costs of incorporating such additional features or appurtenances within the project, including preliminary engineering, final design, right-of-way, construction and construction engineering expenses as may be directly related thereto.

#### SECTION 3 - Utilities and Right-of-Way Statement

The LPA agrees that all right-of-way required for the described project will be acquired and/or made available, in accordance with current State and Federal regulations. The LPA also understands that right-of-way costs include eligible utility costs. The LPA agrees that all utility accommodation, relocation, and reimbursement shall comply with the current provision of 23 CFR 645 and the ODOT Utilities Manual.

#### SECTION 4 - Maintenance

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the project; (3) maintain the right-of-way, keeping it free of obstructions; and (4) hold said right-of-way inviolate for public highway purposes.

SECTION 5 - Authority to Sign

The Director of Public Service of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with the Director of Transportation and Franklin County Engineer necessary to complete the above-described project.

SECTION 6 - This ordinance shall take effect and be in force from and after the earliest period allowed by law.