



Legislation Details (With Text)

File #: 2176-2004 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 11/23/2004 **In control:** Public Service & Transportation Committee
On agenda: 2/14/2005 **Final action:** 2/16/2005

Title: To authorize the Public Service Director to enter into an agreement with the Ohio Department of Transportation for the Construction of Norton Road; to authorize the Transfer of \$1,334,277.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to transfer \$1,334,277.00 from Fund 704 to Fund 766, the Street and Highway Improvement Fund; to appropriate \$1,933,735.00 within Fund 766, the Street and Highway Improvement Fund; and to authorize the expenditure of \$1,933,735.00 from the Street and Highway Improvement Fund for the Transportation Division for the Norton Road Project; and to declare an emergency. (\$1,933,735.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
2/16/2005	1	CITY CLERK	Attest	
2/15/2005	1	MAYOR	Signed	
2/14/2005	1	Columbus City Council	Approved	Pass
2/14/2005	1	COUNCIL PRESIDENT	Signed	
2/1/2005	1	Service Drafter	Sent to Clerk's Office for Council	
1/31/2005	1	Auditor Reviewer	Contingent Within	
1/31/2005	1	CITY AUDITOR	Reviewed and Approved	
1/31/2005	1	Service Drafter	Sent for Approval	
1/31/2005	1	CITY ATTORNEY	Reviewed and Disapproved	
1/31/2005	1	Service Drafter	Sent for Approval	
1/31/2005	1	CITY ATTORNEY	Reviewed and Approved	
1/27/2005	1	FINANCE DIRECTOR	Reviewed and Approved	
1/27/2005	1	Service Drafter	Sent for Approval	
1/26/2005	1	SERVICE DIRECTOR	Reviewed and Approved	
1/26/2005	1	Service Drafter	Sent for Approval	
1/26/2005	1	Service Drafter	Sent for Approval	
1/26/2005	1	Finance Reviewer	Reviewed and Approved	
1/24/2005	1	Service Drafter	Sent for Approval	
1/18/2005	1	Service Reviewer	Reviewed and Approved	
1/11/2005	1	Service Drafter	Sent for Approval	

12/20/2004	1	Service Reviewer	Reviewed and Disapproved
12/1/2004	1	Service Drafter	Sent for Approval
11/30/2004	1	Service Reviewer	Reviewed and Approved
11/23/2004	1	Service Drafter	Sent for Approval

Background: The Public Service Department, Transportation Division, is engaged in the Norton Road improvement project. This ordinance will provide payment to the Ohio Department Of Transportation (ODOT) for the City of Columbus share of construction costs related to the Norton Road project.

The proposed improvements consist of widening Norton Road from its current two-lane configuration to a five-lane road. In addition, sidewalk, and ADA curb ramps will be installed at all intersections and alleys. Additionally, curbing and sidewalk will be constructed along the length of the project. The improvements extend from Hall Road to West Broad Street.

The estimated construction cost for this project is \$9,874,126.00. This estimate includes ODOT's project management. The construction project will be administered by ODOT. This project is eligible for Federal funding in the amount of \$6,906,941.00. The City has successfully applied for a grant in the amount of \$1,033,450.00 from the Ohio Public Works Commission which will be paid directly to ODOT by OPWC. The City of Columbus and Franklin County will be responsible for funding the remaining portion of construction of the project. Franklin County has agreed to pay for the portion of the project within the County. The City will make the initial payment to ODOT and Franklin County will reimburse their portion to the City. The agreed upon split is 69% City and 31% Franklin County. The City's estimated portion of this project is \$1,334,277.00 and the estimated share for Franklin County is \$599,458.00. This legislation must be written in advance of the final estimate to maintain the schedule ODOT has established to bid this project. The amount due to ODOT is \$1,933,735.00.

Emergency action is requested in order to meet ODOT's schedule to bid this project.

Fiscal Impact: The Transportation Division budgeted \$6.5 million in the 2004 Capital Improvements Budget (CIB) for Federal/State Match projects, including \$1.39 million for Norton Road. Previous legislation expended \$262,000.00 for Right of Way and \$80,000.00 for a design modification for the Norton Road project. Another \$350,000.00 was planned in the proposed 2005 - 2010 Capital Improvement Plan for construction of this project, but funds will be needed earlier than expected to meet ODOT's schedule to bid this project. This ordinance authorizes a total of \$1,933,735.00 for Norton Road, of which \$1,334,277.00 is from the Transportation Division and the remainder of \$599,458.00 will be reimbursed from Franklin County. This ordinance will fund the remaining amount budgeted in the 2004 CIB for Norton Road which is \$1,048,000.00, with the remaining amount, \$286,277.00, funded by the Federal/ State Match Projects which required less monies than were budgeted in the 2004 CIB.

To authorize the Public Service Director to enter into an agreement with the Ohio Department of Transportation for the Construction of Norton Road; to authorize the Transfer of \$1,334,277.00 between projects within the 1995, 1999 Voted Streets and Highways Fund; to transfer \$1,334,277.00 from Fund 704 to Fund 766, the Street and Highway Improvement Fund; to appropriate \$1,933,735.00 within Fund 766, the Street and Highway Improvement Fund; and to authorize the expenditure of \$1,933,735.00 from the Street and Highway Improvement Fund for the Transportation Division for the Norton Road Project; and to declare an emergency. (\$1,933,735.00)

The following Ordinance enacted by the City of Columbus, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on the 19th day of July, 2003, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

Upgrading Norton Road, a two lane 1.60 mile road to a five lane curbed facility, lying within the City of Columbus. Total work length of project being approximately 2.13 miles; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire construction and right of way cost and expense of the improvement, less the amount of Federal-aid and Ohio Public Works Commission funds set aside by the Director of Transportation

for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation, and further, the City agrees to bear one hundred percent (100%) of the cost of the following items:

1. Preliminary Engineering, excluding in-house preliminary engineering charges incurred by the State.
2. Any construction items requested by the City on the entire improvement, which are not necessary for the improvement, as determined by the State and Federal Highway Administration.
3. All costs for added construction items generating extra work contracts under Ohio laws, unless performance is approved by the State of Ohio and the Federal Highway Administration before work is done.
4. The City will be a lead agent for the County and Village of New Rome.

WHEREAS, the share of the cost of the LPA is now estimated in the amount of Three Million Two Hundred Eighty Seven Thousand One Hundred Eighty Five and 00/100 Dollars (\$3,287,185.00) less One Million Thirty Three Thousand Four Hundred Fifty and 00/100 Dollars (\$1,033,450.00) Ohio Public Works Commissions Funds (CCP04) and less the amount of Three Hundred Twenty Thousand and 00/100 Dollars (\$320,000.00), Right of Way Deposit from the City RE. INV.02-6011 leaving a balance due of One Million Nine Hundred Thirty Three Thousand Seven Hundred Thirty Five and 00/100 Dollars, (\$1,933,735.00), but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said actual costs when said actual costs are determined; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement, and

WHEREAS, the Franklin County Engineer has agreed to reimburse to the City the LPA share of 31% of the remaining construction costs, now estimated to be \$599,458.00, and

WHEREAS, it is necessary to provide for construction inspection costs, and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Transportation Division, in that it is the sense of this council that this ordinance should be approved immediately in order to meet ODOT's schedule to bid this project and construction of this project may proceed without delay; now, therefore

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

SECTION 1. That the transfer of \$1,334,277.00 within project 530208 within Fund 704, the 1995,1999 Voted Streets and Highways Fund, be and hereby is authorized as follows:

TRANSFER FROM:

Fund / Project # / Project / O.L. 01/O.L. 03 Codes / OCA Code / Amount
704 / 530208 / Federal-State Match / 06/6600 / 644385 / \$1,334,277.00

Total transfer from: \$1,334,277.00

TRANSFER TO:

Fund / Project # / Project / O.L. 01/O.L. 03 Codes / OCA Code / Amount
704 / 530208 / Federal-State Match / 10/5501 / 644385 / \$1,334,277.00

Total transfer to: \$1,334,277.00

SECTION 2. That the City Auditor be and hereby is authorized to transfer \$1,334,277.00 between Funds as follows:

TRANSFER FROM:

Fund / Project # / Project / O.L. 01/O.L. 03 Codes / OCA Code / Amount
704 / 530208 / Federal-State Match / 10/5501 / 643247 / \$1,334,277.00

Total transfer from: \$1,334,277.00

TRANSFER TO:

Fund / Project # / Grant / O.L. 01/O.L. 03 Codes / OCA Code / Amount
766 / 599766 / Norton Road / 80/0886 / 599766 / \$1,334,277.00

Total transfer to: \$1,334,277.00

SECTION 3. That from the unappropriated balance of the Street and Highway Improvement Fund, Fund 766, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2005, the sum of \$1,933,735.00 be and hereby is appropriated to the Transportation Division, Department No. 59-09, Object Level One Code 06, Object Level Three Code 6631, OCA Code 599766 and Project 599766.

SECTION 4. That the monies appropriated in the forgoing Section 3 shall be paid upon order of the Public Service Director and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

SECTION 5. That the Public Service Director be and is hereby authorized to enter into an agreement to provide the funds to ODOT necessary for the construction of the Norton Road project in the amount of \$1,933,735.00, for the Transportation Division in accordance with the specifications and plans on file in the office of the Director of Public Service, which are hereby approved.

SECTION 6. That the estimated sum of One Million Nine Hundred Thirty Three Thousand Seven Hundred Thirty Five and 00/100 Dollars (\$1,933,735.00) is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal Funds.

SECTION 7. That the expenditure of One Million Nine Hundred Thirty Three Thousand Seven Hundred Thirty Five and 00/100 Dollars (\$1,933,735.00) be and hereby is authorized to be expended for this purpose from the Street and Highway Improvement Fund, Fund 766, Department No. 59-09, Transportation Division, Object Level One Code 06, Object Level Three Code 6631, OCA Code 599766 and Project 599766.

SECTION 8. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION 9. That the LPA enter into a contract with the State, and that the Director of Public Service be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

SECTION 10. That the LPA transmit to the Director of Transportation a fully executed copy of this Ordinance.

SECTION 11. That for the reasons stated in the preamble hereto, which is hereby made part hereof, this ordinance is hereby declared 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.