



## Legislation Details (With Text)

**File #:** 3095-2023      **Version:** 1

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

**File created:** 10/30/2023      **In control:** Public Service & Transportation Committee

**On agenda:** 12/11/2023      **Final action:** 12/14/2023

**Title:** To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into agreements with and to provide funding to the Ohio Department of Transportation relative to the FRA-3-19.92 project, PID 106260; to authorize the expenditure of up to \$594,070.00 from the Streets and Highways Bond Fund to support the aforementioned project; and to declare an emergency. (\$594,070.00)

### Sponsors:

### Indexes:

### Code sections:

**Attachments:** 1. 3095-2023

| Date       | Ver. | Action By             | Action   | Result |
|------------|------|-----------------------|----------|--------|
| 12/14/2023 | 1    | ACTING CITY CLERK     | Attest   |        |
| 12/13/2023 | 1    | MAYOR                 | Signed   |        |
| 12/11/2023 | 1    | COUNCIL PRESIDENT     | Signed   |        |
| 12/11/2023 | 1    | Columbus City Council | Approved | Pass   |

### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into agreements with and provide funding to the Ohio Department of Transportation (ODOT) for the FRA-3-19.92 (Westerville Rd) project, PID 106260.

The aforementioned effort, which is slated to commence in the spring of 2024, encompasses various improvements to the stretch of SR-3 from Cleveland Avenue to SR-161, including resurfacing, pavement repairs, pavement widening, and bridge work.

Ordinance 0526-2023, which passed on March 6, 2023, previously authorized Director of Public Service to grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) for the FRA-3-19.92 (Westerville Rd) project, PID 106260.

The purpose of this legislation is to enable the Department of Public Service to satisfy its administrative and financial obligations related to that effort by authorizing: 1) the execution of a contribution agreement or other instrument, and any amendments or modifications thereto, between the Department of Public Services, acting through its director, and ODOT, and 2) the encumbrance and expenditure of up to \$594,070.00 to support completion of the project.

### 2. FISCAL IMPACT

Funding in the amount of up to \$594,070.00 is available within the Streets and Highways Bond Fund within the Department of Public Service to support the local share of estimated construction costs; however, the final cost to the City may vary based on the results of the competitive bidding process administered by ODOT. An amendment to the 2023 Capital Improvement Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned expenditure.

### 3. MINORITY AND WOMAN OWNED BUSINESS ENTERPRISE & SMALL LOCAL BUSINESS

## ENTERPRISE PROGRAM

ODOT is a political subdivision of the State of Ohio. As such, City of Columbus MBE/WBE/SLBE program requirements are not applicable.

## 4. EMERGENCY DESIGNATION

Emergency action is requested to allow the Department of Public Service to execute and return the necessary contribution agreement along with the requisite payment to ODOT on or before December 7, 2023 in order to maintain the project schedule established by ODOT and to promote highway safety.

To amend the 2023 Capital Improvement Budget; to authorize the transfer of funds within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into agreements with and to provide funding to the Ohio Department of Transportation relative to the FRA-3-19.92 project, PID 106260; to authorize the expenditure of up to \$594,070.00 from the Streets and Highways Bond Fund to support the aforementioned project; and to declare an emergency. (\$594,070.00)

**WHEREAS**, the Ohio Department of Transportation (ODOT) is administering the FRA-3-19.92 (Westerville Rd) project, PID 106260, which encompasses various improvements to the stretch of SR-3 from Cleveland Avenue to SR-161, including resurfacing, pavement repairs, pavement widening, and bridge work; and

**WHEREAS**, the aforementioned project is located within the corporate boundaries of Columbus; and

**WHEREAS**, Ordinance 0526-2023 authorized the Director of Public Service to grant consent and to agree to cooperate with ODOT relative to the aforementioned project; and

**WHEREAS**, this legislation authorizes the Director of Public Service to enter into agreements with and to make payment in the amount of \$594,070.00 to ODOT relative to the FRA-3-19.92 (Westerville Rd) project, PID 106260; and

**WHEREAS**, it is necessary to authorize an amendment to the 2023 Capital Improvement Budget for the purpose of providing sufficient budget authority for the aforementioned project expenditure; 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 enable the Department of Public Service to execute and return the necessary contribution agreement along with the requisite payment to ODOT on or before December 7, 2023, in order to maintain the schedule established by ODOT and to promote highway safety, all for the immediate preservation of the public health, peace, property, safety and welfare; and **now, therefore**,

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

**SECTION 1.** That the 2023 Capital Improvement Budget authorized by Ordinance 1711-2023 be and is hereby amended to provide sufficient budget authority for the expenditure as follows:

### **Fund / Project / Project Name / Current / Change / Amended**

7704 / P538001-100000 / Intersection - Morse Rd at Sunbury Rd (Voted Carryover) / \$533,617.00 / (\$533,617.00) / \$0.00  
7704 / P530161-100166 / Roadway Improvements - Livingston Avenue Phase C (Voted Carryover) / \$129,815.00 / (\$60,454.00) / \$69,361.00  
7704 / P530282-100152 / Resurfacing - Urban Paving - FRA-3-19.87 (Westerville Rd) PID106260 (Voted Carryover) / \$0.00 / \$594,070.00 / \$594,070.00

7704 / P530282-100152 / Resurfacing - Urban Paving - FRA-3-19.87 (Westerville Rd) PID106260 (Voted 2022 SIT Supported) / \$429,000.00 / (\$429,000.00) / \$0.00  
7704 / P530282-100051 / Resurfacing - Resurfacing Projects (Voted 2022 SIT Supported) / \$6,965,637.00 / (\$165,070.00) / \$6,800,567.00

7704 / P530161-100000 / Roadway Improvements (Voted 2022 SIT Supported) / \$0.00 / \$594,070.00 / \$594,070.00

**SECTION 2.** That the transfer of \$533,616.34, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5911 (Design and Construction), Project P538001-100000 (Intersection - Morse Rd at Sunbury Rd), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530282-100152 (Resurfacing - Urban Paving - FRA-3-19.87 (Westerville Rd) PID106260), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$60,453.66, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530161-100166 (Roadway Improvements - Livingston Avenue Phase C), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P530282-100152 (Resurfacing - Urban Paving - FRA-3-19.87 (Westerville Rd) PID106260), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of Public Service be and hereby is authorized to enter into a contribution agreement or other instrument, and any amendments or modifications thereto as may be necessary, with the Ohio Department of Transportation (ODOT) and to make payment to ODOT relative to the FRA-3-19.92 (Westerville Rd) project, PID 106260.

**SECTION 5.** That the expenditure of \$594,070.00 or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Division of Design and Construction), Project P530282-100152 (Resurfacing - Urban Paving - FRA-3-19.87 (Westerville Rd) PID106260), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 7.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 8.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

**SECTION 9.** 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.