



## Legislation Details (With Text)

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**Title:** To authorize the Director of the Department of Public Service to grant consent and propose cooperation with the Director of the Ohio Department of Transportation relative to the FRA-270-1.52 project, PID 105498; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

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 grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) for the FRA-270-1.52 project, PID 105498.

The aforementioned effort, which is slated to commence in the summer of 2024, encompasses various improvements including replacing the deck of bridge structures FRA-270-1.52 (Gantz Rd over I-270) and FRA-270-9.30 (McComb Rd over I-270), widening the bridge on Gantz Road to accommodate a shared use path, and providing space and grading for a future sidewalk on McComb Road.

ODOT will ask the City to approve final legislation for the project at a later date. At that time, the Director of Public Service shall seek Council approval to encumber and expend funds to support the local share of associated construction costs.

### 2. FISCAL IMPACT

The local share of construction costs has yet to be determined as the preliminary cost estimate is still being finalized. Legislation authorizing the requisite payment to ODOT shall be authorized under a separate ordinance at a later time.

### 3. EMERGENCY DESIGNATION

This legislation is being put forth as an emergency measure at the request of ODOT, which has set a deadline of January 1, 2024, for receipt of a certified copy of this legislation.

To authorize the Director of the Department of Public Service to grant consent and propose cooperation with the Director of the Ohio Department of Transportation relative to the FRA-270-1.52 project, PID 105498; and to declare an emergency. (\$0.00)

**WHEREAS**, the Ohio Department of Transportation (ODOT) is administering the FRA-270-1.52 project, PID 105498,

which encompasses various improvements including replacing the deck of bridge structures FRA-270-1.52 (Gantz Rd over I-270) and FRA-270-9.30 (McComb Rd over I-270), widening the bridge on Gantz Road to accommodate a shared use path, and providing space and grading for a future sidewalk on McComb Road; and

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

**WHEREAS**, this ordinance authorizes the Director of Public Service to grant consent and to agree to cooperate with ODOT relative to the FRA-270-1.52 project, PID 105498; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize consent and cooperation for this project in order to expedite the project and to promote highway safety, thereby preserving the public health, peace, property, safety and welfare; **now, therefore,**

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

That the following is an Ordinance enacted by the City of Columbus, Franklin County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

**SECTION 1 - PROJECT DESCRIPTION**

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

ODOT project to replace the deck of structures FRA-270-1.52 (Gantz Rd over I-270) and FRA-270-9.30 (McComb Rd over I-270). The work on the Gantz Road Bridge also includes widening to accommodate a shared use path, along with other associated work within City limits. The work on McComb Road includes providing grading and space for a future sidewalk, along with other associated work within City limits.

**SECTION 2 - CONSENT STATEMENT**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**SECTION 3 - COOPERATION STATEMENT**

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

The LPA agrees to participate in the cost of widening the Gantz Road Bridge and to bear the cost difference associated with expanding the sidewalk into a shared use path. The LPA will use ODOT Safety Funds toward these costs. The LPA understands that State anticipates receiving a funding contribution from a second local public agency for this project.

The LPA further agrees to participate the cost associated with widening the approach embankment at McComb Road. The LPA will use ODOT Safety Funds toward this cost.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

The LPA further agrees that change orders and extra work contracts required to fulfill the construction contracts shall be processed as needed. The State shall not approve a change order or extra work contract until it first gives notice, in writing, to the LPA. The LPA shall contribute its share of the cost of these items in accordance with other sections herein.

The LPA further agrees to pay One Hundred Percent (100%) of the cost to install and/or repair curb ramps at all necessary intersections to ensure compliance with the Americans with Disabilities Act.

**SECTION 4 - MAINTENANCE**

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance

for the north approach of McComb Road in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the north approach of McComb Road; (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 of Columbus is hereby empowered on behalf of the City of Columbus to enter into contracts with ODOT pre-qualified consultants for the preliminary engineering phase of the Project and to enter into contracts with the Director of Transportation necessary to complete the above described project.

Upon the request of ODOT, the Director of Public Service is also empowered to assign all rights, title, and interests of the City of Columbus to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to exercise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the Project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

#### **SECTION 6 - EMERGENCY**

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 and or vetoes the same