



## Legislation Details (With Text)

**File #:** 0199-2005      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/25/2005      **In control:** Public Service & Transportation Committee  
**On agenda:** 3/7/2005      **Final action:** 3/9/2005

**Title:** To repeal Ordinance No. 0409-2004; to authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for a MORPC Enhancement Project to provide continuous sidewalk pathways for pedestrians to COTA bus stops for the Transportation Division. (\$0)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

| Date      | Ver. | Action By             | Action                                 | Result |
|-----------|------|-----------------------|--|--------|
| 3/9/2005  | 1    | CITY CLERK            | Attest                                 |        |
| 3/8/2005  | 1    | MAYOR                 | Signed                                 |        |
| 3/7/2005  | 1    | Columbus City Council | Approved                               | Pass   |
| 3/7/2005  | 1    | COUNCIL PRESIDENT     | Signed                                 |        |
| 2/28/2005 | 1    | Columbus City Council | Read for the First Time                |        |
| 2/11/2005 | 1    | City Clerk's Office   | Sent back for Clarification/Correction |        |
| 2/11/2005 | 1    | Service Drafter       | Sent for Approval                      |        |
| 2/11/2005 | 1    | SERVICE DIRECTOR      | Reviewed and Approved                  |        |
| 2/11/2005 | 1    | SERVICE DIRECTOR      | Sent to Clerk's Office for Council     |        |
| 2/4/2005  | 1    | SERVICE DIRECTOR      | Reviewed and Approved                  |        |
| 2/4/2005  | 1    | Service Drafter       | Sent for Approval                      |        |
| 2/4/2005  | 1    | CITY ATTORNEY         | Reviewed and Approved                  |        |
| 2/4/2005  | 1    | Service Drafter       | Sent to Clerk's Office for Council     |        |
| 1/28/2005 | 1    | Service Drafter       | Sent for Approval                      |        |
| 1/27/2005 | 1    | Service Drafter       | Sent for Approval                      |        |
| 1/26/2005 | 1    | Service Reviewer      | Reviewed and Approved                  |        |
| 1/25/2005 | 1    | Service Drafter       | Sent for Approval                      |        |

**Background:** This ordinance authorizes consent legislation between the Transportation Division and the State of Ohio, Department of Transportation (ODOT) for a MORPC Enhancement Project, which proposes to provide continuous sidewalk pathways for pedestrians to COTA bus stops. Due to an increase in the funding provided by ODOT for this project this ordinance repeals Ordinance No. 0409-2004 passed June 21, 2004. Previous consent legislation stated the maximum MORPC contribution was \$521,098.00. The MORPC maximum contribution has been increased to \$1,980,000.00. (FRA-COTA SIDEWALKS PID 76251)

The consultant for the Preliminary Engineering of this project will be selected and funded by The City of Columbus. ODOT shall

provide the City with eligible costs at a rate of eighty percent (80%) for right-of-way acquisition, construction, construction engineering and inspection costs up to a maximum of \$1,980,000.00 from federal funds made available by the FHWA .

Since this project lies within the City of Columbus, this consent ordinance is necessary. Construction of this project is scheduled for 2006.

**Fiscal Impact:** The estimated total cost of the project is \$2,250,000.00, of which the City will pay an estimated \$450,000.00 or twenty percent (20%). MORPC Transportation Equity Act (TEA) funds will provide eighty percent (80%) of eligible funds up to a maximum of \$1,980,000.00. This legislation also authorizes the Public Service Director to enter into the necessary agreements to complete this project.

To repeal Ordinance No. 0409-2004; to authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation to grant consent and propose cooperation with the State of Ohio for a MORPC Enhancement Project to provide continuous sidewalk pathways for pedestrians to COTA bus stops 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**, MORPC funding for the COTA Sidewalks project has increased from \$521,098.00 as stated in ordinance 0409-2004 to the current maximum amount of \$1,980,000.00; and

**WHEREAS**, due to the previously stated change in the funding structure of the COTA Sidewalks project it is necessary to repeal ordinance 0409-2004 passed June 21, 2004; and

**WHEREAS**, the City of Columbus has identified the need for the described project:

This project proposes to provide continuous sidewalk pathways for pedestrians to COTA bus stops. Project limits extend on Augusta Avenue from Sexton Drive to Atlanta Drive; Atlanta Drive from Georgesville Road to Sullivant Avenue; Sullivant Avenue from Athens Avenue to Huron Avenue; Cleveland Avenue from SR161 to Community Park Drive; Dodridge Street from Olentangy River Road to Neil Avenue; Ackerman Road from Defiance Drive to Olentangy River Road; now, therefore

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

### **SECTION 1 - Consent Statement**

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

### **SECTION 2 - Cooperation Statement**

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

The City hereby agrees to cooperate with the Director of Transportation of the State of Ohio 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 of Transportation of the State of Ohio.

The City agrees to assume and bear one hundred percent (100%) of the total cost of Preliminary Engineering.

The City will assume and bear one hundred percent (100%) of the costs of Right of Way and construction less the amount of Federal funds set aside by the Director of Transportation and the Federal Highway Administration.

In the event that the City requests certain features or appurtenances be included within the highway 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 City's highway 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 City's 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 will comply with the current provisions 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 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 Public Service Director of said City is hereby empowered on behalf of the City of Columbus to enter into contracts with the Director of Transportation 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.