



## Legislation Details (With Text)

**File #:** 0744-2008      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 4/23/2008      **In control:** Public Service & Transportation Committee  
**On agenda:** 7/7/2008      **Final action:** 7/9/2008

**Title:** To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for a bridge painting and deck replacement project on the North Fourth Street over Norfolk Southern Railroad and Convention Center Connectors structure. (\$0)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/9/2008	1	CITY CLERK	Attest	
7/8/2008	1	MAYOR	Signed	
7/7/2008	1	Columbus City Council	Approved	Pass
7/7/2008	1	COUNCIL PRESIDENT	Signed	
6/23/2008	1	Columbus City Council	Read for the First Time	
6/13/2008	1	Service Reviewer	Sent to Clerk's Office for Council	
6/12/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
6/12/2008	1	CITY ATTORNEY	Reviewed and Approved	
5/30/2008	1	Service Reviewer	Reviewed and Approved	
4/23/2008	1	Service Drafter	Sent for Approval	

**Background:** This is consent legislation with the Ohio Department of Transportation (ODOT) for a bridge rehabilitation project which proposes to repaint and replace the bridge deck on the North Fourth Street over Norfolk Southern Railroad and Convention Center Connectors structure. (FRA-23-12.11 PID 77565)

This project will improve pedestrian access by widening existing sidewalk crossing the bridge. The review of pedestrian bikeway facilities was initiated by ODOT according to their Routine Accomodation Policy -20-004(P) and the Public Services Department made recommendations based on the recently adopted Bicentennial Bikeways Plan, as well as the Pedestrian Thoroughfare Plan study completed by MORPC in 2007 on behalf of the city of Columbus. It is the intent of Columbus to design, operate and maintain Columbus streets to promote safe and convenient access and travel for all users; pedestrians, bicyclists, transit riders, and disabled users, as well as cars and trucks.

Since this project lies within the City of Columbus, this consent ordinance is necessary. The Ohio Department of Transportation will be responsible for preliminary engineering, right-of-way and construction funding. Construction is estimated to begin in Spring 2011 and conclude in the summer of 2012. The estimated construction cost is \$3,100,000.00. This legislation also authorizes the Public Service Director to enter into the necessary agreements to complete this project.

**Fiscal Impact:** The estimated construction cost is \$3,100,000.00, which will be funded by the Ohio Department of Transportation. There is no cost to the City of Columbus at this time.

To authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio for a bridge painting and deck replacement project on the North Fourth Street over Norfolk Southern Railroad and Convention Center Connectors structure. (\$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 State of Ohio has identified the need for the described project:

Replace deck and paint steel on the FRA-23-12.11 structure (North 4<sup>th</sup> Street over Norfolk Southern Railroad and Convention Center Connectors); 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 The Ohio Department 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.

The Ohio Department of Transportation shall assume and bear one hundred percent of the necessary costs of the State's highway improvement project.

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 State'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 (100%) of the costs of incorporating such additional features or appurtenances within the State'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.