



## Legislation Details (With Text)

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**Type:** Ordinance      **Status:** Passed  
**File created:** 11/17/2009      **In control:** Public Service & Transportation Committee  
**On agenda:** 12/14/2009      **Final action:** 12/16/2009

**Title:** To authorize the Director of Public Service 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 concrete deck overlay project on the James Road bridge over US-33. (\$0)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/16/2009	1	CITY CLERK	Attest	
12/15/2009	1	MAYOR	Signed	
12/14/2009	1	Columbus City Council	Approved	Pass
12/14/2009	1	COUNCIL PRESIDENT	Signed	
12/7/2009	1	Columbus City Council	Read for the First Time	
11/20/2009	1	SERVICE DIRECTOR	Reviewed and Approved	
11/20/2009	1	Service Drafter	Sent for Approval	
11/20/2009	1	CITY ATTORNEY	Reviewed and Approved	
11/20/2009	1	Service Drafter	Sent to Clerk's Office for Council	
11/19/2009	1	Service Reviewer	Reviewed and Approved	
11/19/2009	1	Service Drafter	Sent for Approval	
11/17/2009	1	Service Drafter	Sent for Approval	

### 1. BACKGROUND

This is consent legislation with the Ohio Department of Transportation (ODOT) for a bridge rehabilitation project which proposes to perform a concrete deck overlay on the James Road bridge over US-33. (FRA-33-22.53, PID 87267)

This work was planned for the summer 2011 but has recently been advanced to the summer of 2010.

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 tentatively planned to begin in August 2010 and conclude around October 2010.

This legislation also authorizes the Director of Public Service to enter into the necessary agreements to complete this project.

### 2. FISCAL IMPACT

The estimated construction cost of this project is \$600,000.00, 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 Director of Public Service 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 concrete deck overlay project on the James Road bridge over

US-33. (\$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:

Concrete deck overlay on the James Road bridge over US-33; 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 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**

ODOT 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. ODOT also understands that right-of-way costs include eligible utility costs.

ODOT 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 Director of Public Service 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.