



## Legislation Details (With Text)

**File #:** 0273-2009      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 2/13/2009      **In control:** Public Service & Transportation Committee  
**On agenda:** 3/9/2009      **Final action:** 3/9/2009

**Title:** To authorize the Director of Public Service 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 this bridge deck overlay project on the eastbound I-70 structure over Harper Road and eastbound I-70 structure over Norfolk Southern Railroad for the Division of Design and Construction; and to repeal Ordinance No. 2110-2007. (\$0.00 )

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
3/12/2009	1	CITY CLERK	Attest	
3/10/2009	1	MAYOR	Signed	
3/9/2009	1	Columbus City Council	Approved	Pass
3/9/2009	1	COUNCIL PRESIDENT PRO-TEM	Signed	
3/2/2009	1	Columbus City Council	Read for the First Time	
2/19/2009	1	Service Drafter	Sent for Approval	
2/19/2009	1	CITY ATTORNEY	Reviewed and Approved	
2/19/2009	1	Service Drafter	Sent to Clerk's Office for Council	
2/18/2009	1	Service Reviewer	Reviewed and Approved	
2/18/2009	1	SERVICE DIRECTOR	Reviewed and Approved	
2/17/2009	1	Service Reviewer	Reviewed and Approved	
2/17/2009	1	Service Drafter	Sent for Approval	
2/13/2009	1	Service Drafter	Sent for Approval	

**1. BACKGROUND:**

This ordinance repeals ordinance 2110-2007 and authorizes consent with the Ohio Department of Transportation (ODOT) for a project to overlay the bridge deck on the eastbound I-70 structure over Harper Road and also overlay the eastbound I-70 structure over the Norfolk Southern Railroad. Previously, consent ordinance 2110-2007 was approved by City Council for a deck replacement project for the deck replacement of the I-70 structure over Harper Road. Since that legislation passed the Ohio Department of Transportation changed the scope of the project to be an overlay of the Harper Road over I-70 structure and, due to the close proximity and maintenance of traffic, the overlay of the eastbound I-70 structure over the Norfolk Southern Railroad was added to this project. (FRA-70-10.17 PID 77567)

Since a portion of this project lies within the City of Columbus, this consent ordinance is necessary. Construction of this project is scheduled to begin and end in Spring 2010. This legislation authorizes the Public Service Director to enter into the necessary agreements to complete this project.

**2. FISCAL IMPACT:**

The estimated total cost of this project is \$600,000.00. There is no cost to the City for this project.

To authorize the Director of Public Service 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 this bridge deck overlay project on the eastbound I-70 structure over Harper Road and eastbound I-70 structure over Norfolk Southern Railroad for the Division of Design and Construction; and to repeal Ordinance No. 2110-2007. (\$0.00 )

**WHEREAS**, 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**, ordinance 2110-2007 passed by City Council January 14, 2008 authorized consent with the Ohio Department of Transportation (ODOT) for the bridge deck replacement of the I-70 eastbound structure over Harper Road; and

**WHEREAS**, it is necessary, due to changes in project scope, to repeal ordinance 2110-2007 and authorize consent for the below described project; and

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

Weekend concrete overlays of eastbound I-70 over Harper Road (FRA-70-10.17) and the eastbound side of I-70 over Norfolk Southern Railroad (FRA-70-10.63); now, therefore,

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

**Section 1.** That Ordinance No. 2110-2007, passed by City Council January 14, 2008 is hereby repealed.

**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 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 4 - 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 5 - 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 6 - 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 7.** This ordinance shall take effect and be in force from and after the earliest period allowed by law.