



## Legislation Details (With Text)

**File #:** 1859-2012      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 8/20/2012      **In control:** Public Service & Transportation Committee  
**On agenda:** 9/10/2012      **Final action:** 9/11/2012

**Title:** To authorize the Director of Public Service to enter into agreement with CSX Transportation, Inc. and Norfolk Southern Corporation for the review of plans and associated work pertaining to the Roadway Improvements - Lazelle Road and the Bridge Rehabilitation - Ohio Center Way over railroad North of Structure 1 West of 3rd projects; to amend the 2012 C.I.B; to authorize the appropriation, transfer and expenditure of funds within the Street and Highway Improvement Fund for Division of Design and Construction for these expenses incurred by these railroads; and to declare an emergency. (\$85,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
9/11/2012	1	CITY CLERK	Attest	
9/11/2012	1	MAYOR	Signed	
9/10/2012	1	COUNCIL PRESIDENT	Signed	
9/10/2012	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

The Department of Public Service is engaged in the Roadway Improvement - Lazelle Road and the Bridge Rehabilitation - Ohio Center Way over railroad North of Structure 1 West of 3<sup>rd</sup> projects. These projects require cooperation with the Railroads within the project limits. This ordinance authorizes the Director of Public Service to enter into agreements with CSX Transportation, Inc. and Norfolk Southern Corporation.

The purpose of these agreements is to allow the railroads to review and approve of engineering and design plans, specifications, drawings and other documents pertaining to the projects; to prepare cost estimates for CSX's work in connection with the project; review of construction cost estimates, site surveys, assessments, studies and related construction documents submitted to CSX.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against CSX Transportation, Inc. and Norfolk Southern Corporation.

### 2. CONTRACT COMPLIANCE

CSX contract compliance number is 546000720.

Norfolk Southern Corporation contract compliance number is 487569384.

### 3. EMERGENCY DESIGNATION

Emergency action is requested in order to maintain the project schedules for these projects.

### 4. FISCAL IMPACT

Funding for these agreements is available within the Street and Highway Improvement Fund, Number 766.

To authorize the Director of Public Service to enter into agreement with CSX Transportation, Inc. and Norfolk Southern Corporation for the review of plans and associated work pertaining to the Roadway Improvements - Lazelle Road and the Bridge Rehabilitation - Ohio Center Way over railroad North of Structure 1 West of 3<sup>rd</sup> projects; to amend the 2012 C.I.B; to authorize the appropriation, transfer and expenditure of funds within the Street and Highway Improvement Fund for Division of Design and Construction for these expenses incurred by these railroads; and to declare an emergency. (\$85,000.00)

**WHEREAS**, the Division of Design and Construction is engaged in the Roadway Improvements - Lazelle Road and the Bridge Rehabilitation - Ohio Center Way over railroad North of Structure 1 West of 3<sup>rd</sup> projects; and

**WHEREAS**, it is necessary to amend the 2012 C.I.B. to establish authority in the appropriate project detail numbers for this project; and

**WHEREAS**, it is necessary to authorize the Director of Public Service to enter into agreement with CSX Transportation, Inc. and Norfolk Southern Corporation to allow for these railroads to conduct reviews and associated work for these projects and provide payment to these companies for costs incurred during the construction of the projects; and

**WHEREAS**, an emergency exists in the usual daily operation of the Division of Design and Construction in that the funding should be authorized immediately to maintain the schedule of this project, thereby preserving the public health, peace, property, safety and welfare; now, therefore

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

**SECTION 1.** That the Director of Public Service be and is hereby authorized to enter into agreement with CSX Transportation, Inc. and Norfolk Southern Corporation for the purpose of authorizing these railroads to review plans and other perform other work pertaining to the Roadway Improvements - Lazelle Road and the Bridge Rehabilitation - Ohio Center Way over railroad North of Structure 1 West of 3<sup>rd</sup> projects and to provide payment to these railroads for this work in the amount of amount of \$85,000.00 for the Division of Design and Construction.

**SECTION 2.** That the 2012 C.I.B. authorized by ordinance 0368-2012 be amended to provide sufficient authority in the appropriate project detail number for this project as follows:

<u>Fund / Project / Project Name / Current C.I.B. / Change / C.I.B. as amended</u>
766 / 766999-100000 / Unallocated Balance (Street & Highway Carryover) / \$2,563,172.00 / (\$85,000.00) / \$2,478,172.00
766 / 530161-100081 Roadway Improvements - Lazelle (Street & Highway Carryover) / \$0.00 / \$80,000.00 / \$80,000.00
766 / 530301-163177 Bridge Rehabilitation - Ohio Center Way over Conrail North of Structure 1 West of 3 <sup>rd</sup> (Street & Highway Carryover) / \$0.00 / \$5,000.00 / \$5,000.00

**SECTION 3.** The sum of \$85,000.00 be and is hereby appropriated from the unappropriated balance of the Street and Highway Improvement Fund, Fund 766, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2012 as follows:

<u>Fund / Project / Project Name / O.L. 01/03 Codes / OCA Code / amount</u>
766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$85,000.00

**SECTION 4.** That the transfer of cash and appropriation within the Street and Highway Improvement Fund, No. 766, be authorized as follows:

Transfer from:  
Fund / Project / Project Name / O.L. 01/03 Codes / OCA Code / amount

766 / 766999-100000 / Unallocated Balance / 06-6600 / 766999 / \$85,000.00

Transfer to:

Fund / Project # / Project Name / O.L. 01-03 Codes / OCA Code / Amount

766 / 530161-100081 Roadway Improvements - Lazelle / 06-6682 / 716181 / \$80,000.00

766 / 530301-163177 Bridge Rehabilitation - Ohio Center Way over Conrail North of Structure 1 West of 3<sup>rd</sup> / 06-6682 / 731177 / \$5,000.00

**SECTION 5.** That for the purpose of paying for the work included in this agreement with CSX Transportation, Inc. and Norfolk Southern Corporation the sum of up to \$85,000.00, or so much thereof as may be necessary, be and hereby is authorized to be expended from the Street and Highway Improvement Fund, Fund 766, Department No. 59-12, Division of Design and Construction as follows:

Fund / Project # / Project Name / O.L. 01-03 Codes / OCA Code / Amount

766 / 530161-100081 Roadway Improvements - Lazelle / 06-6682 / 716181 / \$80,000.00

766 / 530301-163177 Bridge Rehabilitation - Ohio Center Way over Conrail North of Structure 1 West of 3<sup>rd</sup> / 06-6682 / 731177 / \$5,000.00

**SECTION 6.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

**SECTION 7.** 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 nor vetoes the same.