



## Legislation Text

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**File #: 2344-2015, Version: 1**

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### **1. BACKGROUND**

The purpose of this ordinance is to amend Ordinance 0653-2013 in order to correct the original wording of that legislation and to clarify the financial obligations of the City and the Ohio Department of Transportation (ODOT) relative to the FRA-US33-14.35 project.

Ordinance 0653-2013 authorized the Director of Public Service to grant consent and propose cooperation with ODOT for the aforementioned project, which encompasses paving US33 (Dublin Road and Long Street) from the Grandview Heights/Columbus Corporation Line to Marconi Boulevard and paving US33D (Spring Street) from 4<sup>th</sup> Street to High Street.

This amendment is necessary because Section 3 of that legislation erroneously stated, “The Ohio Department of Transportation shall assume and bear one hundred percent (100%) of the total costs of Preliminary Engineering, Right of Way and Construction.” Rather, the local share of the projected cost of construction is twenty percent (20%), or \$200,000.00.

The City also incur one hundred percent (100%) of the cost of curbs, gutters, utility relocations, partial-and full-depth pavement repairs and other non-surface related items and those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration. The projected cost of those items is \$110,000.00.

ODOT will ask the City to approve final legislation for this project at a later date, coinciding with the anticipated start of construction in spring 2017. At that time, ODOT shall request a financial contribution from the City for the project. Payment to ODOT shall be authorized under a separate ordinance.

### **2. FISCAL IMPACT**

The revised projected cost of this project is \$1,200,000.00, with the City providing up to \$310,000.00 toward this effort. That expenditure will be authorized at a later date under a separate ordinance.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested to allow the Ohio Department of Transportation to maintain the planned schedule for this project.

To amend Ordinance 0653-2013 in order to correct the original wording of that legislation and to clarify the financial obligations of the City and the Ohio Department of Transportation (ODOT) relative to the FRA-US33-14.35 project; and to declare an emergency. (\$0.00)

**WHEREAS**, Ordinance 0653-2013 authorized the Director of Public Service to grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) for the FRA-US33-14.35 project, which encompasses paving US33 (Dublin Road and Long Street) from the Grandview Heights/Columbus Corporation Line to Marconi Boulevard and paving US33D (Spring Street) from 4<sup>th</sup> Street to High Street; and

**WHEREAS**, Section 3 of Ordinance 0653-2013 erroneously stated ODOT would incur one hundred (100%) of the associated project costs when, in fact, the City will be partially responsible for funding this project; and

**WHEREAS**, the purpose of this legislation is to amend Ordinance 0653-2013 in order to correct the original wording of that ordinance and to clarify the financial obligations of both ODOT and the City; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize this legislation in order to maintain the construction schedule established by ODOT, 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 Ordinance 0653-2013 be and hereby is amended as follows:

**(Background)**

ODOT will ask the City to approve final legislation for the project at a later date, ~~estimated in Autumn 2013 coinciding with the anticipated start of construction in spring 2017.~~ At that time, ODOT shall request the City's financial contribution for the project. Payment to ODOT shall be handed under separate ordinance.

**(Fiscal Impact)**

The estimated construction ~~and inspection~~ cost of this project is ~~\$1,034,600~~ \$1,200,000.00, with ~~approximately \$205,700 funded by the City providing up to \$310,000.00 toward this effort.~~ That expenditure will be authorized at a later date under a separate ordinance.

**(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 (100%) of the total costs of Preliminary Engineering, Right of Way and Construction.~~

That prior to the construction commencement date of the above-referenced project, the LPA shall install and/or repair all curb ramps which are necessary to ensure compliance with the Americans with Disabilities Act and the LPA agrees to assume and bear one hundred percent (100%) of the cost of such installation and/or repair of curb ramps.

The City will assume and bear one hundred percent (100%) of the cost of construction less the amount of Federal and State funds set aside by the Director of Transportation and the Federal Highway Administration. The City will assume and bear one hundred percent (100%) of the cost of curbs, gutters, utility relocations, partial-and full-depth pavement repairs and other non-surface related items.

The City agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the City which are not necessary for the improvement as determined by the State and Federal Highway Administration.

**SECTION 2.** That the previous Section 3 of Ordinance 0653-2015 is hereby repealed.

**SECTION 3.** 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.