



## Legislation Text

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**File #:** 0978-2016, **Version:** 1

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### **1. BACKGROUND:**

The Department of Public Service, Division of Design and Construction, is engaged in the Roadway Improvements - I70/71 Interchange project which involves several phases and includes widening and enhancements to streets located within the project corridor. Project improvements include pavement, sidewalks, bike lanes, street lighting, traffic signals, and utility relocations.

In the course of effecting roadway improvements, it is sometimes necessary to force the relocation of utility facilities from privately held easements or place overhead facilities underground to promote public health, safety and welfare, including the economic development of the City. These relocations are in areas where the City has previously allowed utility facilities, but established an underground utility district by ordinance 0305-2015; therefore due to this project there is a need to relocate facilities.

Ordinance 0460-2013 and Ordinance 0488-2014 authorized payment for utility relocation work by AEP, AT&T, Time Warner, XO and other companies in an amount up to \$1,579,502.00 for said project phases. This legislation authorizes additional payment for utility relocation work by AEP, AT&T, Time Warner, XO and other companies up to the amount of \$1,000,000.00. The total amount authorized for utility relocation for all phases is \$2,579,502.00.

### **2. FISCAL IMPACT:**

This project is budgeted and funds are available within the Streets and Highway Improvements Bond Fund, Fund 7704 of the Department of Public Service Capital Improvement Budget. This legislation is contingent upon the passage of the 2016 Capital Improvement Budget.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested to provide funding for utility reimbursements at the earliest possible time so project construction can begin on time.

To authorize the Director of Public Service to reimburse various utilities for utility relocation costs incurred in conjunction with the Roadway Improvements - I70/71 Interchange project; Public Service capital improvement projects; to authorize the expenditure of \$1,000,000.00 from the Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$1,000,000.00)

**WHEREAS**, the City of Columbus is vitally concerned with the use of the various rights-of-way areas in the City as such rights-of-way areas represent a valuable and limited resource that must be utilized to promote the public health, safety and welfare including the economic development of the City; and

**WHEREAS**, the Department of Public Service requires funding to be available for utility relocation expenses for the Roadway Improvements - I70/71 Interchange project in order to provide for quick turnaround of utility relocation work; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$1,000,000.00 for that purpose; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director to reimburse for utility relocation expenses at the earliest possible time to prevent project construction delays, 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 hereby is authorized to pay utility relocation costs to various utilities for the Roadway Improvements - I70/71 Interchange project.

**SECTION 2.** That the expenditure of \$1,000,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 Street and Highway Improvements Bond Fund, Fund 7704, in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 3.** City Council recognizes that this ordinance may not identify all of the utilities that will receive the reimbursements and understands that its passage will give the Director of Public Service the final decision in determination for such reimbursement(s). This Council is satisfied it is in the best interests of the City to delegate this reimbursement decision.

**SECTION 4.** That the funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated, and the City Auditor shall establish such accounting codes as necessary.

**SECTION 5.** 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 6.** That the City Auditor is hereby authorized to transfer the unencumbered balance in a project account to the unallocated balance account within the same fund upon receipt of certification by the Director of the Department administering said project that the project has been completed and the monies are no longer required for said project.

**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 approvals.