



## Legislation Text

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**File #:** 2951-2022, **Version:** 1

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**1. BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a Memorandum of Agreement with the Ohio Department of Transportation (ODOT) for the reimbursement of construction inspection costs relating to the West Columbus Local Protection Project (WCLPP). ODOT has undertaken a series of highway improvement projects within the area of the Interstate 70, Interstate 71, and State Route 315 interchanges which will occur within the Right of Way of the WCLPP and require alterations to the WCLPP. Under Item 8 of the Project Specific Terms and Conditions of the US Army Corps of Engineers (USACE) Section 408 permit for these projects, ODOT is required to provide sufficient funds for the City of Columbus to provide a full-time inspector representing the interests of the City of Columbus, and to monitor and document the construction conditions and activities associated with the WCLPP impacts and alterations.

This project will be in Community Planning Area 45, Franklinton.

**2. PROCUREMENT:** EMH&T will be providing the inspection services on behalf of the City of Columbus as was previously legislated in Ord. 0294-2022 for CIP 611728-100000.

**3. TIMELINE:** The contract term with ODOT will terminate upon completion of the work outlined USACE Section 408 permit for these projects.

**4. ECONOMIC IMPACT:** The City of Columbus is responsible for the operation and maintenance of the flood protection measures provided by the WCLPP under our agreement with the USACE. This agreement will fulfill ODOT's requirement under their Section 408 permit, allowing them to proceed with their planned interchange improvements, while also fulfilling the City of Columbus obligations to the USACE to maintain the level of flood protection provided by the WCLPP.

**5. FISCAL IMPACT:** Costs for the inspection services provided by EMH&T have previously been legislated in Ord 0294-2022 CIP 611728-100000. This agreement will allow the City of Columbus to seek reimbursement from ODOT for these inspection costs. The previously legislated agreement with EMH&T was for a maximum fee of \$549,832.21. The current agreement stipulates that a sum of up to \$549,832.21 will be provided to the City by ODOT upon invoice from the City following execution of the agreement.

To authorize the Director of Public Utilities to enter into a Memorandum of Agreement with the Ohio Department of Transportation (ODOT) for the reimbursement of construction inspection costs up to \$549,832.21 relating to the West Columbus Local Protection Project (WCLPP).

**WHEREAS,** it is necessary to authorize the Director of Public Utilities to enter into a Memorandum of Agreement with the Ohio Department of Transportation (ODOT) for the reimbursement of construction inspection costs relating to the West Columbus Local Protection Project (WCLPP); and

**WHEREAS,** the costs for the inspection services provided by EMH&T have previously been legislated under Ord 0294-2022 for CIP 611728-100000; and

**WHEREAS,** the contract term with ODOT will terminate upon completion of the work outlined USACE Section 408

permit for these projects; and

**WHEREAS**, it is necessary to authorize a reimbursement of up to \$594,832.21 within the Storm Sewer Permanent Improvement Non-Bond Fund, for the Division of Sewerage and Drainage; and

**WHEREAS**, it has become necessary in the usual daily operation of the Department of Public Utilities, Division of Sewerage and Drainage, to authorize the Director to enter into a Memorandum of Agreement with ODOT, for the reimbursement of the construction inspection costs, Project 611728-100000, for the preservation of the public health, peace, property and safety; **now, therefore**

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

**SECTION 1.** That the Director of Public Utilities is hereby authorized to enter into a Memorandum of Agreement with the Ohio Department of Transportation (ODOT) for the reimbursement of construction inspection costs relating to the West Columbus Local Protection Project (WCLPP).

**SECTION 2.** That the reimbursement of \$549,832.21, or so much thereof as may be needed, is hereby authorized to be deposited into the Storm Sewer Permanent Improvement Non-Bond Fund, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 4.** 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 5.** 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 6:** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.