



## Legislation Text

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**File #:** 0216-2005, **Version:** 1

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**Background:** This ordinance authorizes consent between the Transportation Division and the Ohio Department of Transportation (ODOT) for an intersection improvement project. This project will realign the intersection at U.S. 62 and C.R. 17 (Morse Road) and construct a roundabout at the intersection. Due to changes in the funding and scope of this project this ordinance repeals ordinance 0413-01 passed March 26, 2001. The previous consent ordinance stated additional lanes and turn lanes would be added to allow for increased capacity. The scope of this project now is to construct a Roundabout at this intersection. Also, previously Gahanna was the lead agency and the City was involved in the funding of the project. Franklin County will now be the lead agency and select and fund a consultant for preliminary engineering for this project. Funding for construction will be provided by ODOT and MORPC.(FRA-US62-26.34 PID 22374)

Since a portion of this project lies within the City of Columbus, this consent ordinance is necessary. Construction of this project is scheduled for 2007. Franklin County will be the lead agency for this project and select and fund a consultant to perform the preliminary engineering. ODOT will fund the cost of the US 62 structure and MORPC will fund the remaining construction cost of this project. The estimated total cost for this project is \$7,000,000.00. This legislation also authorizes the Public Service Director to enter into the necessary agreements to complete this project.

**Fiscal Impact:** The estimated total cost of this project is \$7,000,000.00. Preliminary engineering will be funded by Franklin County and the remaining portion of the project will be funded by ODOT and MORPC. There is no cost to the city at this time.

To repeal ordinance 0413-01 passed March 26, 2001; to authorize the Public Service Director to enter into an agreement with the Director of the Ohio Department of Transportation and to grant consent and propose cooperation with the State of Ohio to make improvements to the intersection of US 62 and CR 17 for the Transportation Division. (\$0)

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**, due to changes in the scope and funding structure of the US 62 and CR 17 (Morse Road) Project it is necessary to repeal ordinance 0413-01 passed March 26, 2001; and

**WHEREAS**, Franklin County has identified the need for the described project:

This project proposes to improve the intersection of US 62 and CR 17 (Morse Road) by realigning the intersection and constructing a roundabout. ODOT will fund the construction of the U.S. 62 structure and MORPC will fund construction for the balance of the roadway work.

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

**SECTION 1 - Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above-described project.

**SECTION 2 - Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above-described project as follows:

The City agrees that Franklin County will act as the lead agency for the project.

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 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;

In the event that the City requests certain features or appurtenances be included within the transportation 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 transportation 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 of the costs of incorporating such additional features or appurtenances within the project, including preliminary engineering, final design, right-of-way, construction and construction engineering expenses as may be directly related thereto.

### **SECTION 3 - Utilities and Right-of-Way Statement**

The LPA agrees to acquire and /or make available to ODOT, in accordance with current State and Federal regulations, all necessary right of way required for the described Project. The LPA also understands that right-of-way costs include eligible utility costs. The LPA agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provision of 23 CFR 645 and the ODOT Utilities Manual.

### **SECTION 4 - Maintenance**

Upon completion of the described project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described 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 5 - Consultants and 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 ODOT pre-qualified consultants for the preliminary engineering phase of the project and to enter into contracts with the Director of Transportation necessary to complete the above described project. Upon the request of ODOT, the Director of Public Service is also empowered to assign all rights, title, and interests of the City of Columbus to ODOT arising from any agreement with its consultant in order to allow ODOT to direct additional or corrective work, recover damages due to errors or omissions, and to expertise all other contractual rights and remedies afforded by law or equity.

The LPA agrees that if Federal Funds are used to pay the cost of any consultant contract, the LPA shall comply with 23 CFR 172 in the selection of its consultant and the administration of the consultant contract. Further, the LPA agrees to incorporate ODOT's "Specifications for Consulting Services" as a contract document in all of its consultant contracts. The LPA agrees to require, as a scope of services clause, that all plans prepared by the consultant must conform to ODOT's current design standards and that the consultant shall be responsible for ongoing consultant involvement during the construction phase of the project. The LPA agrees to include a completion schedule acceptable to ODOT and to assist ODOT in rating the consultant's performance through ODOT's Consultant Evaluation System.

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