



## Legislation Text

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**File #: 0898-2010, Version: 1**

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### **1. BACKGROUND**

This is consent legislation with the Ohio Department of Transportation (ODOT) for a crack sealing project on the four lane section of SR-161 from Ulry Road to the Licking County line. Crack sealing will help to extend the life of the pavement by filling cracks that have developed and therefore reduce the effects of the freeze/thaw cycle. (D06-PPM-FY11B PID 83734)

Since this project lies within the City of Columbus, this consent ordinance is necessary. The Ohio Department of Transportation will be responsible for preliminary engineering and construction. Construction is tentatively planned for Spring 2011 and is expected to be completed by Fall 2011. This legislation also authorizes the Director of Public Service to enter into the necessary agreements to complete this project.

### **2. FISCAL IMPACT**

The estimated construction cost of the entire project is \$1,000,000.00 part of which is in Madison and Pickaway Counties. There is no cost to the City for this project.

To authorize the Director of Public Service 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 for a crack sealing project on the four lane section of SR-161 from Ulry Road to the Licking County line. (\$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**, the State of Ohio has identified the need for the described project:

Perform contract crack sealing as a preventative maintenance measure on FRA-161 from the Ulry Road overpass to the Licking County Line. The portion from Ulry Road to the Columbus/New Albany corporation line west of SR-605 is within the City of Columbus; 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 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 of the necessary costs of the State's highway improvement project.

In the event that the City requests certain features or appurtenances be included within the highway 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 State's highway 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 (100%) of the costs of incorporating such

additional features or appurtenances within the State's 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**

ODOT agrees that all right-of-way required for the described project will be acquired and/or made available in accordance with current State and Federal regulations. ODOT also understands that right-of-way costs include eligible utility costs.

ODOT agrees that all utility accommodation, relocation and reimbursement will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

### **Section 4 - Maintenance**

Upon completion of the project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the project in accordance with all applicable state and federal law, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial resources, as necessary, for the maintenance of the 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 - 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 the Director of Transportation necessary to complete the above described project.

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