



Legislation Text

File #: 3173-2021, **Version:** 1

1. BACKGROUND

This legislation authorizes the Director of Public Service to modify and increase the payment funding for utility relocation work as needed by American Electric Power, Columbus FiberNet, Spectrum, Verizon, WOW, and other utilities (or companies hired by utilities to perform utility relocation work) for the Downtown Streetscape - Short North SID - High Street Improvements Phase 2 and Downtown Streetscape - Short North SID - High Street Improvements Phase 3 projects in an amount up to \$280,136.41.

Ordinance 2923-2018 authorized the Director of Public Service to pay for utility relocation work by American Electric Power, Columbus FiberNet, Spectrum, Verizon, WOW, and other utilities as needed in an amount up to \$3,935,000.00.

The original contract amount, no inspection:	\$3,935,000.00	(ACPO003656, Ord. 2923-2018)
The total of Modification No. 1, no inspection:	<u>\$280,136.41</u>	(This Ordinance)
The contract amount including all modifications:	\$4,215,136.41	

The Department of Public Service is engaged in the Downtown Streetscape - Short North SID - High Street Improvements Phase 2 and Downtown Streetscape - Short North SID - High Street Improvements Phase 3 projects. Phases 2 and 3 of the projects consisted of roadway and streetscape improvements to North High Street from Poplar Avenue to King/East 7th Avenue. Project improvements included sidewalk on both sides of High Street, planter beds and street trees, lighting and signal upgrades, storm improvements and undergrounding of both private and public overhead utilities.

In the course of effecting roadway improvements, it is sometimes necessary to force the relocation of utilities from privately held easements or place overhead utilities underground to promote public health, safety, and welfare including the economic development of the City. It is necessary to move utilities to complete this project.

The funding request for utilities relocation reimbursement is based upon estimates from the utilities. The utilities will invoice the City for actual costs incurred in relocating the utilities. The amount needed exceeded the amount originally requested in Ordinance 2923-2018.

2. UNPLANNED MODIFICATION

This is an unplanned modification that is necessary to cover the cost of unforeseen utility relocation work that was discovered after the utility relocation work began. This unforeseen relocation work exceeded the project's original estimated amount.

3. FISCAL IMPACT

Funds in the amount of \$280,136.41 are available within the Streets and Highways Bond Fund, Fund 7704. An amendment to the 2021 Capital Improvement Budget is required to establish sufficient budget authority for the project. Funds are appropriated.

4. EMERGENCY DESIGNATION

Emergency designation is requested to provide funding for utility reimbursements at the earliest possible time to maintain the project construction schedule to ensure the safety of the traveling public.

To amend the 2021 Capital Improvement Budget; to authorize the Director of Public Service to pay utility relocation costs to various utilities for the Downtown Streetscape - Short North SID - High Street Improvements Phase 2 and

Downtown Streetscape - Short North SID - High Street Improvements Phase 3 projects; to authorize the expenditure of up to \$280,136.41 for utility relocations from the Streets and Highways Bond Fund for the project; and to declare an emergency. (\$280,136.41)

WHEREAS, the City of Columbus is 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, utility relocations must be completed before construction can begin; and

WHEREAS, the Department of Public Service requires funding to be available for utility relocation expenses for the Downtown Streetscape - Short North SID - High Street Improvements Phase 2 and Downtown Streetscape - Short North SID - High Street Improvements Phase 3 projects; and

WHEREAS, ACPO003656 in the amount of \$3,935,000.00, was authorized by ordinance no. 2923-2018; and

WHEREAS, it has become necessary to modify the original funding in an amount up to \$280,136.41 for the purpose of performing additional utility relocation work in the Downtown Streetscape - Short North SID - High Street Improvements Phase 2 and Downtown Streetscape - Short North SID - High Street Improvements Phase 3 projects; and

WHEREAS, this ordinance authorizes additional funding in the amount of up to \$280,136.41 for that purpose; and

WHEREAS, it is necessary to authorize an amendment to the 2021 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize payment for utility relocation expenses to prevent construction delays, to ensure the safety of the traveling public 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 2021 Capital Improvements Budget authorized by ordinance 2707-2021 be amended as follows to establish sufficient authority for this project:

Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended

7704 / P530053-100003 / Downtown Streetscape - Short North SID - High Street Improvements Phase 3 (Voted Carryover) / \$330,337.00 / \$271,055.00 / \$59,282.00

7442 / P530053-100002 / Downtown Streetscape - Short North SID - High Street Improvements Phase 2 (Voted Carryover) / \$9,082.00 / \$271,055.00 / \$281,037.00

SECTION 2. That the Director of Public Service be and hereby is authorized to reimburse utilities for utility relocation work, or to reimburse companies hired by utilities to perform utility relocation work, for the Downtown Streetscape - Short North SID - High Street Improvements Phase 2 and Downtown Streetscape - Short North SID - High Street Improvements Phase 3 projects.

SECTION 3. That the expenditure of \$280,136.41, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), in Dept-Div 5912 (Design and Construction), Project P530053-100002 (Downtown Streetscape - Short North SID - High Street Improvements Phase 2), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

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. For the reasons stated in this preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and is effective and in force from and after its passage and approval by the Mayor or ten days after its passage if the Mayor neither approves nor vetoes this ordinance.