



## Legislation Text

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**File #:** 0006-2008, **Version:** 1

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**Background:** This is consent legislation with the Ohio Department of Transportation (ODOT) for a bridge rehabilitation project which proposes to rehabilitate the structure on SR 315 over the Olentangy River, Fifth Avenue and King Avenue. (FRA-SR315-2.78 PID 80155)

Since a portion of this project lies within the City of Columbus, this consent ordinance is necessary. The Ohio Department of Transportation will be responsible for preliminary engineering, final design, right-of-way and construction funding. Construction is estimated to begin in April 2009 and last for 3 months, and then start again in April 2010 and conclude in September 2010. The estimated construction cost is \$6,000,000.00. 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 \$6,000,000.00, which will be funded by the Ohio Department of Transportation. There is no cost to the City of Columbus at this time.

To authorize the Director of Public Service to enter into an agreement with the Director of the Ohio Department of Transportation; to grant consent and propose cooperation with the State of Ohio for a bridge reconstruction project on SR315 for the City of Columbus 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,** The State of Ohio has identified the need for the described project:

This project proposes to rehabilitate the existing structure on SR315 over the Olentangy River, Fifth Avenue and King Avenue; 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 hereby gives consent to the Director of The Ohio Department 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 costs of preliminary engineering, final design, right of way, and utility relocation (if applicable). Further, ODOT shall assume and bear one hundred percent of the total cost of construction.

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 (100%) 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 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. The LPA also understands that right-of-way costs include eligible utility costs.

The LPA 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 Public Service Director 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** - This ordinance shall take effect and be in force from and after the earliest period allowed by law.