



## Legislation Text

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**File #:** 1936-2015, **Version:** 1

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### **1. BACKGROUND:**

This legislation authorizes payment for utility relocation work by American Electric Power, AT&T and other utilities up to the amount of \$1,175,528.26.

The Public Service Department, Design and Construction Division, is engaged in the Bridge Rehabilitation - Fifth Avenue over Scioto project. This is a joint project between the Department of Public Service and the Recreation and Parks Department that will receive construction funding from ODOT Municipal Bridge Program and MORPC Transportation Enhancements. The ODOT designated name for this project is FRA Scioto Trail/Fifth Avenue Connector (PID 90382). Recreation and Parks Department's project name is Bridge Rehabilitation - Bikeway Improvements - Dublin Road to McKinley.

Work on this project includes replacing the existing bridge with a wider bridge over the Scioto River and a multi-use path on the south side of Fifth Avenue for the West 5th Scioto Trail between Dublin Road and McKinley Avenue; pavement resurfacing for the entire limits except where reconstruction is needed to transition to the new bridge; addition of curb and gutter, sidewalk on the north side of Fifth Avenue, street lighting, and street trees for the entire limits; curb ramps as necessary; public and private utility work as needed; and stormwater improvements.

In the course of effecting roadway improvements, it is sometimes necessary to force the relocation of utilities from privately held easements. These relocations are in areas where the city has previously allowed utilities, but due to this project there is a need to relocate them at the city's expense.

These utility relocation charges are not eligible for reimbursement through the MORPC or ODOT grants. The Department of Public Service will cover the majority of the costs for this utility reimbursement project (80%) and the Department of Recreation and Parks is responsible for the remainder (20%). This legislation is only for the Department of Public Service portion of the cost. Legislation will be done to modify the contract at a later date for the Department of Recreation and Parks portion of the costs. City Council recognizes that this ordinance does not identify the utilities that will receive the reimbursements and understands that its passage will give the Director of Public Service the final decision in determining such reimbursements. This council is satisfied it is in the best interests of the city to delegate this reimbursement decision.

### **2. FISCAL IMPACT:**

Available Funds in the amount of \$1,175,528.26 exist for this project within the Streets and Highways Bond Fund, Number 704. An amendment to the 2015 Capital Improvement Budget is necessary for the purpose of providing sufficient spending authority for this expenditure.

### **3. EMERGENCY DESIGNATION**

Public Service is requesting emergency designation so as to provide funding for utility reimbursements at the earliest possible time to maintain the project construction schedule.

To amend the 2015 Capital Improvements Budget, to authorize the City Auditor to transfer funds and appropriation between projects within the Streets & Highway Bond Fund; to authorize the Director of Public Service to pay utility relocation costs to various utilities for capital improvement projects; to authorize the expenditure of \$1,175,528.26 or so much thereof as may be necessary for utility relocations for the Bridge Rehabilitation - Fifth Avenue over Scioto project from the Streets & Highway Bond Fund; and to declare an emergency. (\$1,175,528.26)

**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**, the Department of Public Service requires funding to be available for utility relocation expenses for the Bridge Rehabilitation - Fifth Avenue over Scioto project in order to provide for quick turnaround of utility relocation work; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$1,175,528.26 for that purpose; 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 miscellaneous utility relocation expenses at the earliest possible time, 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 2015 Capital Improvement Budget established within ordinance 0557-2015 be and hereby is amended as follows:

**Fund / Project # / Project Name / Current CIB Amount / Amended Amount / CIB Amount as Amended**

- 704 / 530301-100590 / Bridge Rehab - U.S. 23 (High Street) over SR 104 (Voted Carryover) / \$0.00 / \$9.00 / \$9.00 (to match cash)
- 704 / 530301-108850 / Bridge Rehab - SR 104 under Groveport Road (Voted Carryover) / \$0.00 / \$6.00 / \$6.00 (to match cash)
- 704 / 530301-108915 / Bridge Rehab - SR 104 over Railroad (Voted Carryover) / \$0.00 / \$3.00 / \$3.00 (to match cash)
- 704 / 530301-108923 / Bridge Rehab - SR 104 under Alum Creek Drive (Voted Carryover) / \$0.00 / \$4.00 / \$4.00 (to match cash)
- 704 / 530301-116535 / Bridge Rehab - SR 317 under School Walk Bridge N. I-70 (Voted Carryover) / \$0.00 / \$1.00 / \$1.00 (to match cash)
- 704 / 530301-160135 / Bridge Rehab - Cherry Creek Parkway over Scioto Big Run (Voted Carryover) / \$0.00 / \$4.00 / \$4.00 (to match cash)
- 704 / 530301-160860 / Bridge Rehab - Sixpoint Court over stream West of I-71 (Voted Carryover) / \$0.00 / \$2.00 / \$2.00 (to match cash)
- 704 / 530301-161018 / Bridge Rehab - Parsons Ave over Railroad south Hosack (Voted Carryover) / \$0.00 / \$3.00 / \$3.00 (to match cash)
- 704 / 530301-161441 / Bridge Rehab - McAllister over Hamilton Miller Ditch (Voted Carryover) / \$0.00 / \$2.00 / \$2.00 (to match cash)
- 704 / 530301-161549 / Bridge Rehab - Refugee Road over Mason Run W. Hamilton (Voted Carryover) / \$0.00 / \$11.00 / \$11.00 (to match cash)
- 704 / 530301-161611 / Bridge Rehab - 5th Ave over stream West of Yearling (Voted Carryover) / \$0.00 / \$7.00 / \$7.00 (to match cash)
- 704 / 530301-161786 / Bridge Rehab - Livingston Ave over Hamilton Miller Ditch (Voted Carryover) / \$0.00 / \$3.00 / \$3.00 (to match cash)
- 704 / 530301-162081 / Bridge Rehab - Courtright Rd over Mason Run S. Livingston (Voted Carryover) / \$0.00 / \$3.00 / \$3.00 (to match cash)
- 704 / 530301-162278 / Bridge Rehab - Ole Country Lane over Ditch (Voted Carryover) / \$0.00 / \$3.00 / \$3.00 (to match cash)
- 704 / 530301-163657 / Bridge Rehab - Lonsdale north of Livingston (Voted Carryover) / \$0.00 / \$2.00 / \$2.00 (to match cash)
- 704 / 530301-163770 / Bridge Rehab - Brentnell Blvd over Ditch (Voted Carryover) / \$0.00 / \$3.00 / \$3.00 (to match cash)

704 / 530301-163835 / Bridge Rehab - Brice Road over Greenway Path (Voted Carryover) / \$0.00 / \$2.00 / \$2.00 (to match cash)

704 / 530301-163983 / Bridge Rehab - Chadbyrne Drive over stream (Voted Carryover) / \$0.00 / \$2.00 / \$2.00 (to match cash)

704 / 530301-100067 / Bridge Rehab - Citywide (Voted Carryover) / \$38,001.00 / \$80.00 / \$38,081.00 (to match cash)

704 / 440005-100014 / Urban Infra - Taylor Ave (Voted Carryover) / \$847,516.00 / (\$760,937.00) / \$86,579.00

704 / 530301-100000 / Bridge Rehabilitation (Voted Carryover) / \$905.00 / (\$905.00) / \$0.00

704 / 530301-100010 / Bridge Rehab - Citywide Project 1 (Voted Carryover) / \$3,197.00 / (\$3,197.00) / \$0.00

704 / 530301-100015 / Bridge Rehab - Major Bridge Rehab (Voted Carryover) / \$17,874.00 / (\$17,874.00) / \$0.00

704 / 530301-100037 / Bridge Rehab - Citywide Project 2 (Voted Carryover) / \$3,108.00 / (\$3,108.00) / \$0.00

704 / 530301-100041 / Bridge Rehab - Far Northwest (Voted Carryover) / \$1.00 / (\$1.00) / \$0.00

704 / 530301-100042 / Bridge Rehab - Far North (Voted Carryover) / \$5.00 / (\$5.00) / \$0.00

704 / 530301-100043 / Bridge Rehab - Rocky Fork - Blacklick (Voted Carryover) / \$23.00 / (\$23.00) / \$0.00

704 / 530301-100045 / Bridge Rehab - Northland (Voted Carryover) / \$13.00 / (\$13.00) / \$0.00

704 / 530301-100047 / Bridge Rehab - West Scioto (Voted Carryover) / \$6.00 / (\$6.00) / \$0.00

704 / 530301-100048 / Bridge Rehab - West Olentangy (Voted Carryover) / \$3.00 / (\$3.00) / \$0.00

704 / 530301-100049 / Bridge Rehab - Clintonville (Voted Carryover) / \$18.00 / (\$18.00) / \$0.00

704 / 530301-100059 / Bridge Rehab - Eastmoor - Walnut Ridge (Voted Carryover) / \$19.00 / (\$19.00) / \$0.00

704 / 530301-100060 / Bridge Rehab - Far East (Voted Carryover) / \$5.00 / (\$5.00) / \$0.00

704 / 530301-100061 / Bridge Rehab - Near South (Voted Carryover) / \$2.00 / (\$2.00) / \$0.00

704 / 530301-100063 / Bridge Rehab - Eastland - Brice (Voted Carryover) / \$3.00 / (\$3.00) / \$0.00

704 / 530301-100066 / Bridge Rehab - Southeast (Voted Carryover) / \$9.00 / (\$9.00) / \$0.00

704 / 530301-100067 / Bridge Rehab - Citywide (Voted Carryover) / \$38,081.00 / (\$81.00) / \$38,000.00

704 / 530301-100663 / Bridge Rehab - U.S. 23 over Convention Ctr (Voted Carryover) / \$3,642.00 / (\$3,642.00) / \$0.00

704 / 530301-160003 / Bridge Rehab - WN Broadway under CSR (Voted Carryover) / \$70,215.00 / (\$70,215.00) / \$0.00

704 / 530301-160119 / Bridge Rehab - Campus View over Conrail East of High (Voted Carryover) / \$13,388.00 / (\$13,388.00) / \$0.00

704 / 530301-160240 / Bridge Rehab - Fisher over CSX & N&S RR (Voted Carryover) / \$25,991.00 / (\$25,991.00) / \$0.00

704 / 530301-160356 / Bridge Rehab - Hardy Pkwy over Scioto (Voted Carryover) / \$12,720.00 / (\$12,720.00) / \$0.00

704 / 530301-160429 / Bridge Rehab - Cooke Rd under Conrail (Voted Carryover) / \$53,795.00 / (\$53,795.00) / \$0.00

704 / 530301-160666 / Bridge Rehab - River Bend over Big Run (Voted Carryover) / \$2,733.00 / (\$2,733.00) / \$0.00

704 / 530301-160704 / Bridge Rehab - High St over RR (Voted Carryover) / \$117,681.00 / (\$117,681.00) / \$0.00

704 / 530301-161263 / Bridge Rehab - James Road over Mason Run North of 7<sup>th</sup> (Voted Carryover) / \$950.00 / (\$950.00) / \$0.00

704 / 530301-161840 / Bridge Rehab - EN Brodway under RR West of I-71 (Voted Carryover) / \$83,382.00 / (\$83,382.00) / \$0.00

704 / 530301-162391 / Bridge Rehab - Marland Drive south of Meadowview (Voted Carryover) / \$4,777.00 / (\$4,777.00) / \$0.00

704 / 530301-100590 / Bridge Rehab - U.S. 23 (High Street) over SR 104 (Voted Carryover) / \$9.00 / (\$9.00) / \$0.00

704 / 530301-108850 / Bridge Rehab - SR 104 under Groveport Road (Voted Carryover) / \$6.00 / (\$6.00) / \$0.00

704 / 530301-108915 / Bridge Rehab - SR 104 over Railroad (Voted Carryover) / \$3.00 / (\$3.00) / \$0.00

704 / 530301-108923 / Bridge Rehab - SR 104 under Alum Creek Drive (Voted Carryover) / \$4.00 / (\$4.00) / \$0.00

704 / 530301-116535 / Bridge Rehab - SR 317 under School Walk Bridge N. I-70 (Voted Carryover) / \$1.00 / (\$1.00) / \$0.00

704 / 530301-160135 / Bridge Rehab - Cherry Creek Parkway over Scioto Big Run (Voted Carryover) / \$4.00 / (\$4.00) / \$0.00

704 / 530301-160860 / Bridge Rehab - Sixpoint Court over stream West of I-71 (Voted Carryover) / \$2.00 / (\$2.00) / \$0.00

704 / 530301-161018 / Bridge Rehab - Parsons Ave over Railroad south Hosack (Voted Carryover) / \$3.00 / (\$3.00) / \$0.00  
704 / 530301-161441 / Bridge Rehab - McAllister over Hamilton Miller Ditch (Voted Carryover) / \$2.00 / (\$2.00) / \$0.00  
704 / 530301-161549 / Bridge Rehab - Refugee Road over Mason Run W. Hamilton (Voted Carryover) / \$11.00 / (\$11.00) / \$0.00  
704 / 530301-161611 / Bridge Rehab - 5th Ave over stream West of Yearling (Voted Carryover) / \$7.00 / (\$7.00) / \$0.00  
704 / 530301-161786 / Bridge Rehab - Livingston Ave over Hamilton Miller Ditch (Voted Carryover) / \$3.00 / (\$3.00) / \$0.00  
704 / 530301-162081 / Bridge Rehab - Courtright Rd over Mason Run S. Livingston (Voted Carryover) / \$3.00 / (\$3.00) / \$0.00  
704 / 530301-162278 / Bridge Rehab - Ole Country Lane over Ditch (Voted Carryover) / \$3.00 / (\$3.00) / \$0.00  
704 / 530301-163657 / Bridge Rehab - Lonsdale north of Livingston (Voted Carryover) / \$2.00 / (\$2.00) / \$0.00  
704 / 530301-163770 / Bridge Rehab - Brentnell Blvd over Ditch (Voted Carryover) / \$3.00 / (\$3.00) / \$0.00  
704 / 530301-163835 / Bridge Rehab - Brice Road over Greenway Path (Voted Carryover) / \$2.00 / (\$2.00) / \$0.00  
704 / 530301-163983 / Bridge Rehab - Chadbyrne Drive over stream (Voted Carryover) / \$2.00 / (\$2.00) / \$0.00  
  
704 / 530301-160771 / Bridge Rehab - Fifth Avenue over Scioto (Voted Carryover) / \$3,910,455.00 / \$1,175,553.00 / \$5,086,008

**SECTION 2.** That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways Bond Fund, Number 704, as follows:

**From:**

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA Code / Amount**

704 / 530301-100590 / Bridge Rehab - U.S. 23 (High Street) over SR 104 / 6-6600 / 731590 / \$8.53  
704 / 530301-108850 / Bridge Rehab - SR 104 under Groveport Road / 06-6600 / 731850 / \$5.25  
704 / 530301-108915 / Bridge Rehab - SR 104 over Railroad / 06-6600 / 731915 / \$2.29  
704 / 530301-108923 / Bridge Rehab - SR 104 under Alum Creek Drive / 06-6600 / 731923 / \$3.48  
704 / 530301-116535 / Bridge Rehab - SR 317 under School Walk Bridge N. I-70 / 06-6600 / 731535 / \$0.97  
704 / 530301-160135 / Bridge Rehab - Cherry Creek Parkway over Scioto Big Run / 06-6600 / 731135 / \$3.78  
704 / 530301-160860 / Bridge Rehab - Sixpoint Court over stream West of I-71 / 06-6600 / 731860 / \$1.19  
704 / 530301-161018 / Bridge Rehab - Parsons Ave over Railroad south Hosack / 06-6600 / 731018 / \$2.95  
704 / 530301-161441 / Bridge Rehab - McAllister over Hamilton Miller Ditch / 06-6600 / 731441 / \$1.98  
704 / 530301-161549 / Bridge Rehab - Refugee Road over Mason Run W. Hamilton / 06-6600 / 731549 / \$10.30  
704 / 530301-161611 / Bridge Rehab - 5th Ave over stream West of Yearling / 06-6600 / 731611 / \$6.59  
704 / 530301-161786 / Bridge Rehab - Livingston Ave over Hamilton Miller Ditch / 06-6600 / 731786 / \$2.06  
704 / 530301-162081 / Bridge Rehab - Courtright Rd over Mason Run S. Livingston / 06-6600 / 731081 / \$2.42  
704 / 530301-162278 / Bridge Rehab - Ole Country Lane over Ditch / 06-6600 / 731278 / \$2.73  
704 / 530301-163657 / Bridge Rehab - Lonsdale north of Livingston / 06-6600 / 731657 / \$1.31  
704 / 530301-163770 / Bridge Rehab - Brentnell Blvd over Ditch / 06-6600 / 731770 / \$2.18  
704 / 530301-163835 / Bridge Rehab - Brice Road over Greenway Path / 06-6600 / 731835 / \$1.26  
704 / 530301-163983 / Bridge Rehab - Chadbyrne Drive over stream / 06-6600 / 731983 / \$1.34  
704 / 440005-100014 / Urban Infra - Taylor Ave / 06-6600 / 740514 / \$760,936.84  
704 / 530301-100000 / Bridge Rehabilitation / 06-6600 / 704301 / \$904.91  
704 / 530301-100010 / Bridge Rehab - Citywide Project 1 / 06-6600 / 743010 / \$3,196.31  
704 / 530301-100015 / Bridge Rehab - Major Bridge Rehab / 06-6600 / 760115 / \$17,874.00  
704 / 530301-100037 / Bridge Rehab - Citywide Project 2 / 06-6600 / 743137 / \$3,107.21  
704 / 530301-100041 / Bridge Rehab - Far Northwest / 06-6600 / 743141 / \$0.58  
704 / 530301-100042 / Bridge Rehab - Far North / 06-6600 / 743142 / \$4.70  
704 / 530301-100043 / Bridge Rehab - Rocky Fork - Blacklick / 06-6600 / 743143 / \$22.94  
704 / 530301-100045 / Bridge Rehab - Northland / 06-6600 / 743145 / \$12.74

704 / 530301-100047 / Bridge Rehab - West Scioto / 06-6600 / 743147 / \$5.38  
704 / 530301-100048 / Bridge Rehab - West Olentangy / 06-6600 / 743148 / \$2.36  
704 / 530301-100049 / Bridge Rehab - Clintonville / 06-6600 / 743149 / \$17.02  
704 / 530301-100059 / Bridge Rehab - Eastmoor - Walnut Ridge / 06-6600 / 743159 / \$18.96  
704 / 530301-100060 / Bridge Rehab - Far East / 06-6600 / 743160 / \$4.58  
704 / 530301-100061 / Bridge Rehab - Near South / 06-6600 / 730161 / \$1.01  
704 / 530301-100063 / Bridge Rehab - Eastland - Brice / 06-6600 / 743163 / \$2.60  
704 / 530301-100066 / Bridge Rehab - Southeast / 06-6600 / 743166 / \$8.68  
704 / 530301-100067 / Bridge Rehab - Citywide / 06-6600 / 743167 / \$80.08  
704 / 530301-100663 / Bridge Rehab - U.S. 23 over Convention Ctr / 06-6600 / 704663 / \$3,642.00  
704 / 530301-160003 / Bridge Rehab - WN Broadway under CSR / 06-6600 / 743013 / \$70,214.21  
704 / 530301-160119 / Bridge Rehab - Campus View over Conrail East of High / 06-6600 / 731119 / \$13,387.66  
704 / 530301-160240 / Bridge Rehab - Fisher over CSX & N&S RR / 06-6600 / 740240 / \$25,990.69  
704 / 530301-160356 / Bridge Rehab - Hardy Pkwy over Scioto / 06-6600 / 743156 / \$12,719.12  
704 / 530301-160429 / Bridge Rehab - Cooke Rd under Conrail / 06-6600 / 704429 / \$53,794.16  
704 / 530301-160666 / Bridge Rehab - River Bend over Big Run / 06-6600 / 740166 / \$2,732.11  
704 / 530301-160704 / Bridge Rehab - High St over RR / 06-6600 / 743014 / \$117,680.03  
704 / 530301-161263 / Bridge Rehab - James Road over Mason Run North of 7th / 06-6600 / 740163 / \$949.08  
704 / 530301-161840 / Bridge Rehab - EN Broadway under RR West of I-71 / 06-6600 / 740140 / \$83,381.02  
704 / 530301-162391 / Bridge Rehab - Marland Drive south of Meadowview / 06-6600 / 762391 / \$4,776.67

**To:**

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

704 / 530301-160771 / Bridge Rehab-Fifth Ave over Scioto / 06-6631 / 740171 / \$1,175,528.26

**SECTION 3.** That the Director of Public Service be and hereby is authorized to pay utility relocation costs to various utilities for the Bridge Rehabilitation - Fifth Avenue over Scioto project.

**SECTION 4.** That the Director of Public Service be and is hereby authorized to expend \$1,175,528.26 or so much thereof as may be necessary from the Streets and Highways Fund to pay those costs relative to the relocation of utilities needed for the Bridge Rehab-Fifth Ave over Scioto project as follows:

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

704 / 530301-160771 / Bridge Rehab-Fifth Ave over Scioto / 06-6631 / 740171 / \$1,175,528.26

**SECTION 5.** City Council recognizes that this ordinance does not identify the utilities to whom the reimbursements will be awarded and understands that its passage will give the Director of Public Service the final decision in determination for such reimbursements. This Council is satisfied it is in the best interests of the City to delegate this reimbursement decision.

**SECTION 6.** 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 7.** 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 8.** 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 9.** That for the reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared to be an emergency measure and shall take effect and be in force from and after its passage and approval

by the mayor, or ten days after passage if the mayor neither approves nor vetoes the same.