



## Legislation Text

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**File #: 0380-2020, Version: 1**

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### **1. BACKGROUND**

This legislation authorizes the Director of Public Service to enter into agreements with Norfolk Southern Railway Company, CSX Transportation, Genessee & Wyoming, Inc., and other railroad companies and subcontractors as needed, relative to the Signal Installation - Columbus Traffic Signal System Phase E project.

The aforementioned project encompasses the installation of new fiber optic cable infrastructure throughout Franklin County and southern Delaware County, including major corridors on South High Street, Hilliard-Rome Road, and New Albany Road, and the Polaris and Easton shopping areas, to facilitate the migration of the existing traffic signal system to a new central traffic signal system that uses an open infrastructure.

Ordinance 1473-2019 authorized the execution of a construction contract between the Department of Public Service and Gudenkauf Corporation for the Signal Installation - Columbus Traffic Signal System Phase E project along with the expenditure of up to \$13,520,314.69 to provide for construction, construction administration and inspection services. A portion of the Signal Installation - Columbus Traffic Signal System Phase E project will involve construction that impacts railroad equipment or property. Railroad companies do not allow the City or a City contractor to perform construction work on the railroads. The work is performed by a company of the railroad's choosing and then billed by the railroad. For this project, funds to pay for railroad construction work were included in the Gudenkauf contract amount and Gudenkauf is to pay the railroads for the project construction work instead of the City paying the railroads. While the railroads will bill Gudenkauf for the work, the railroads will not execute agreements with Gudenkauf for the work, instead requiring the City to execute agreements for design and construction of railroad work related to the City's project. It is necessary for the Director of Public Service to execute these agreements so the construction work can be performed and Gudenkauf can pay the railroads for the work on behalf of the City.

### **2. FISCAL IMPACT**

Funding for the railroad work was included in the original contract amount with Gudenkauf and is sufficient for Gudenkauf to pay estimated railroad charges for this project at this point. No additional funding is being requested by this legislation.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested in order to facilitate the timely execution of the requisite agreements so as to maintain the current project completion schedule.

To authorize the Director of Public Service to enter into agreements with Norfolk Southern Railway Company, CSX Transportation, Genessee & Wyoming, Inc., and other railroad companies and subcontractors as needed, relative to the Signal Installation - Columbus Traffic Signal System Phase E project; and to declare an emergency. (\$0.00)

**WHEREAS**, the Department of Public Service is administering the Signal Installation - Columbus Traffic Signal System Phase E project, which encompasses the installation of new fiber optic cable infrastructure throughout Franklin County and southern Delaware County to facilitate the migration of the existing traffic signal system to a new central traffic signal system that uses an open infrastructure; and

**WHEREAS**, Ordinance 1473-2019 authorized the execution of a construction contract between the Department of Public Service and Gudenkauf Corporation relative to that effort and the expenditure of up to \$13,520,314.69 to provide for construction, construction administration and inspection services; and

**WHEREAS**, the aforementioned effort will require cooperation from railroad companies with operations within the project limits; and

**WHEREAS**, the Gudenkauf contract amount included funds to pay railroad companies for construction work related to this project; and

**WHEREAS**, the railroad companies will accept payment from Gudenkauf but will only enter into contract with the City for the work; and

**WHEREAS**, this legislation seeks to grant the Director of Public Service the authority to execute agreements with Norfolk Southern Railway Company, CSX Transportation, Genessee & Wyoming, Inc., and other railroad companies and subcontractors as needed relative to the Signal Installation - Columbus Traffic Signal System Phase E project; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the execution of the aforementioned agreements so as to maintain the current project completion schedule, 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 Director of Public Service be and is hereby authorized to execute agreements with Norfolk Southern Railway Company, CSX Transportation, Genessee & Wyoming, Inc., and other railroad companies and subcontractors as needed, for the purpose of authorizing those entities to review and approve engineering and design plans, construction specifications and drawings, and other documents and to perform work necessary to the completion of the Signal Installation - Columbus Traffic Signal System Phase E project.

**SECTION 2.** That for the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is 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 (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.