



## Legislation Text

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**File #:** 1790-2014, **Version:** 1

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### **1. BACKGROUND**

This ordinance authorizes the Director of Public Service to grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) for ODOT's FRA-US23-12.24, PID 86661 construction project, which is an urban paving project on US23 from SLM 0.00 to SLM 3.26 (Summit Street) and from SLM 12.24 to SLM 15.34 (Fourth Street). The travelled way will be reduced from three to two lanes to allow for a bike lane and still maintain parking

Construction is currently estimated to begin in June 2015, and conclude in October 2015.

The following is an Ordinance enacted by the City Council of the City of Columbus, Ohio, hereinafter which the City is referred to as the Local Public Agency (LPA), in the matter of the stated described project.

### **2. FISCAL IMPACT**

The estimated cost of the project is \$4.4 million. Columbus' estimated contribution is \$1,064,952; however funding is not needed at this time. The Director of Public Service shall seek Council approval for funding at a later date.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested to provide consent for this project and meet ODOT's current project schedule.

To authorize the Director of Public Service to grant consent and propose cooperation with the Director of the Ohio Department of Transportation for the FRA-US23-12.24, PID 86661 construction project and to declare an emergency. (\$0.00)

**WHEREAS**, the Ohio Department of Transportation proposes an urban paving project on US23 from SLM 0.00 to SLM 3.26 (Summit Street) and from SLM 12.24 to SLM 15.34 (Fourth Street). The travelled way will be reduced from three to two lanes to allow for a bike lane and still maintain parking; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize consent in order to continue the schedule established by the Ohio Department of Transportation for this project, 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 - Project Description**

This is an urban paving project on US23 from SLM 0.00 to SLM 3.26 (Summit Street) and from SLM 12.24 to SLM 15.34 (Fourth Street). The travelled way will be reduced from three to two lanes to allow for a bike lane and still maintain parking.

#### **SECTION 2 - Consent Statement**

This ordinance authorizes the Director of Public Service to grant consent to the Director of the Ohio Department of

Transportation to complete the above described project.

### **SECTION 3 - Cooperation Statement**

This ordinance authorizes the Director of Public Service to cooperate with the Director of the Ohio Department of Transportation in the above described project as follows:

The LPA 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 LPA agrees to assume and bear one hundred percent (100%) of the cost of Design, Right-of-Way and Construction less the amount of federal funds set aside by the Director of Transportation and the Federal Highway Administration.

The LPA agrees to assume and bear one hundred percent (100%) of the total cost of those features requested by the LPA which are not necessary for the improvement as determined by the State and Federal Highway Administration.

### **SECTION 4 - Utilities and Right-of-Way Statement**

The LPA agrees to acquire and/or make available to ODOT, in accordance with current State and Federal regulations, all necessary right-of-way required for the described Project. The LPA also understands that right-of-way costs include eligible utility costs.

### **SECTION 5 - Maintenance**

Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, as necessary, for the maintenance of the described 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 6 - Emergency**

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 and or vetoes the same.