



Legislation Details (With Text)

File #: 0154-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 1/17/2017 **In control:** Public Service & Transportation Committee

On agenda: 2/6/2017 **Final action:** 2/7/2017

Title: To amend the 2016 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into agreement with CSX Transportation, Inc. for engineering review and construction inspection cost pertaining to the Bridge Rehabilitation - Ohio Center Way over railroad North of Structure 1 West of 3rd project; to authorize the expenditure of up to \$33,897.00 from the Streets and Highways Bond Fund to pay for this agreement; and to declare an emergency. (\$33,897.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 530301 update legislation template

Date	Ver.	Action By	Action	Result
2/7/2017	1	CITY CLERK	Attest	
2/7/2017	1	MAYOR	Signed	
2/6/2017	1	COUNCIL PRESIDENT	Signed	
2/6/2017	1	Columbus City Council	Approved	Pass

1. BACKGROUND

The Department of Public Service is engaged in the Bridge Rehabilitation - Ohio Center Way Over Conrail North of Structure 1 West of Third project. This ordinance authorizes the Director of Public Service to pay up to an additional \$33,897.00 to CSX Transportation, Inc. (CSX) for this project. This project is in the Downtown Community Planning Area (CPA 18).

This project requires cooperation with the Railroad within the project limits for project work done on or near the railroad. CSX is the only company that can be contracted with to perform this work on their railroad. Ordinance 2932-2015 was passed by Council on 11/23/15 authorizing Public Service to enter into agreements with CSX for this project and approval to expend up to \$125,000.00 to reimburse CSX for their engineering review and construction inspection costs for this project. The contract amount of \$125,000.00 was based upon the preliminary estimate provided to Public Service by CSX. That contract has not yet been put into place pending a final cost estimate from CSX. The CSX final estimate requires an additional \$33,897.00.

Ordinance 2932-2015	\$125,000.00
<u>This ordinance</u>	<u>\$33,897.00</u>
Total amount of contract:	\$158,897.00

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against CSX Transportation, Inc.

2. CONTRACT COMPLIANCE

CSX's contract compliance number is 54-6000720 and is currently expired. CSX is the only company we can contract with for this work. We have contacted them and asked them to update their contract compliance information.

3. FISCAL IMPACT

Funding for this agreement is available within the 2016 Public Service Capital Improvement Budget. An amendment to the 2016 CIB is necessary to provide sufficient budget authority and cash for the project.

4. EMERGENCY DESIGNATION

Emergency action is requested in order to maintain the project construction schedule.

To amend the 2016 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service to enter into agreement with CSX Transportation, Inc. for engineering review and construction inspection cost pertaining to the Bridge Rehabilitation - Ohio Center Way over railroad North of Structure 1 West of 3rd project; to authorize the expenditure of up to \$33,897.00 from the Streets and Highways Bond Fund to pay for this agreement; and to declare an emergency. (\$33,897.00)

WHEREAS, the Department of Public Service is engaged in the Bridge Rehabilitation - Ohio Center Way over Railroad North of Structure 1 West of 3rd project; and

WHEREAS, it is necessary to authorize the Director of Public Service to enter into an agreement with CSX Transportation, Inc. to allow for the railroad to conduct engineering reviews and associated work for the project and to provide payment to CSX for costs incurred during the project; and

WHEREAS, it is necessary to amend the 2016 CIB to establish authority and cash in the appropriate project number so CSX can be paid; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, Division of Design and Construction, in that it is immediately necessary to authorize the Director to enter into agreement with CSX Transportation, Inc. in order to maintain the schedule of 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. That the 2016 CIB authorized by ordinance 0960-2016 be amended to provide sufficient authority in the appropriate project detail number for this project as follows:

Fund / Project / Project Name / Current C.I.B. / Change / C.I.B. as amended

7704/ 530301-100000 / Bridge Rehabilitation (Voted Carryover) / \$0.00 / \$97,157.00 / \$97,157.00 (to match cash)

7704/ 530301-100000 / Bridge Rehabilitation (Voted Carryover) / \$97,157.09 / (\$33,897.00) / \$63,260.00

7704/ 530301-163177 / Bridge Rehabilitation - Ohio Center Way over RR North of Structure 1 West of 3rd (Voted Carryover) / \$0.00 / \$33,897.00 / \$33,897.00

SECTION 2. That the transfer of \$33,897.00, or so much thereof as may be needed, is hereby authorized between projects within Fund 7704 Streets and Highways Bond Fund per the account codes in the attachment to this ordinance.

SECTION 3. That the Director of Public Service be and is hereby authorized to enter into agreement with, and pay up to an additional \$33, 897.00 to, CSX Transportation, Inc. for the purpose of authorizing the railroad to review plans and perform other work pertaining to the Bridge Rehabilitation - Ohio Center Way over Railroad North of Structure 1 West of 3rd project.

SECTION 4. That the expenditure of \$33,897.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 Streets and Highways Bond Fund in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

SECTION 5. 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 6. 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 7. 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 8. 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.