



Legislation Details (With Text)

File #: 1526-2017 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 6/2/2017 **In control:** Public Service & Transportation Committee

On agenda: 7/10/2017 **Final action:** 7/12/2017

Title: 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-70/71-12.89/14.93 project, PID 103184; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/12/2017	1	CITY CLERK	Attest	
7/12/2017	1	MAYOR	Signed	
7/10/2017	1	COUNCIL PRESIDENT	Signed	
7/10/2017	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Director of Public Service to grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) for the FRA-70/71-12.89/14.93 project, PID 103184.

The aforementioned project encompasses the installation of private underground ductwork in advance of the construction of FRA-70-12.68 (Project 4A), PID 77372, which is slated to commence in the winter of 2017 and to conclude in the fall of 2018.

ODOT will ask the City to approve final legislation for the project at a later date. At that time, the Director of Public Service shall seek Council approval to encumber and expend funds up to \$173,000.00, which represents the local share of estimated project costs, to support that effort.

2. FISCAL IMPACT

The City has agreed to contribute \$173,000.00 toward the aforementioned effort; however, funding is not needed for that purpose at this time. Payment to ODOT shall be authorized under a separate ordinance.

3. EMERGENCY DESIGNATION

Emergency action is requested to allow ODOT to maintain the planned project schedule and promote highway safety.

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-70/71-12.89/14.93 project, PID 103184; and to declare an emergency. (\$0.00)

WHEREAS, the Ohio Department of Transportation proposes installing private utility underground ductwork in advance

of the construction of FRA-70-12.68 (Project 4A), PID 77372; and

WHEREAS, this improvement project is within the Columbus corporate boundaries; and

WHEREAS, this ordinance authorizes the Director of Public Service to grant consent and to agree to cooperate with the Ohio Department of Transportation in this effort; 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 and cooperation for this project in order to maintain the scheduled established by the Ohio Department of Transportation, thereby preserving the public health, peace, property, safety and welfare; now, therefore

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

That 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.

SECTION 1 - Project Description

WHEREAS, the STATE has identified the need for the described project:

This project proposes to install private utility underground ductwork in advance of project FRA-70-12.68 (Project 4A, PID 77372).

SECTION 2 - Consent Statement

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

SECTION 3 - 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 (100%) of the necessary costs of the STATE's highway improvement project; the City's share of the cost for the project is estimated to be \$173,000.00.

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.

SECTION 4 - 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 5 - 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 laws, including, but not limited to, Title 23, U.S.C., Section 116; (2) provide ample financial provisions, 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 6 - Authority to Sign

That 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 7 - 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.