



Legislation Details (With Text)

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Title: To authorize the Director of Public Service to modify an existing agreement with Norfolk Southern Corporation relative to the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee project; to authorize the expenditure of up to \$15,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$15,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Ordinance 1861-2018 Accounting Codes

Date	Ver.	Action By	Action	Result
7/12/2018	1	CITY CLERK	Attest	
7/11/2018	1	MAYOR	Signed	
7/9/2018	1	COUNCIL PRESIDENT	Signed	
7/9/2018	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This legislation authorizes the Director of Public Service to modify an agreement with Norfolk Southern Corporation (Norfolk Southern) relative to the construction of the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee project.

The aforementioned project consists of various improvements to Alum Creek Drive from Performance Way/Refugee Road South to Frebis Avenue/Integrity Drive South for the purposes of increasing capacity, reducing delays, and improving safety. Planned improvements include pavement reconstruction and widening; addition of new pedestrian and bikeway facilities on each side of the roadway; and installation of new storm sewers; street trees, and street lighting.

Ordinance 1806-2016 authorized the execution of a construction agreement, effective September 28, 2016, between the Department of Public Service and Norfolk Southern to facilitate the widening of the existing Alum Creek Drive at-grade railroad crossing and the installation of drainage pipes under that crossing. That ordinance also authorized the expenditure of \$717,929.00 to support the construction and inspection of those improvements. However, the actual and anticipated future costs incurred during the prosecution of that work are higher than originally estimated.

The purpose of this legislation is to provide additional funding in the amount of \$15,000.00 to support the continuation of work necessary to complete that effort.

Original contract amount:	\$717,929.00 (Ordinance 1806-2016; PO121875)
Modification 1 amount:	<u>\$ 15,000.00</u>
Total contract amount including all modifications:	\$732,929.00

2. CONTRACT COMPLIANCE INFORMATION

Norfolk Southern currently does not have a valid contract compliance number and will be required to become contract compliant before entering into agreement with the City for the provision of requisite construction services.

3. FISCAL IMPACT

Funding in the amount of \$15,000.00 is available within the Streets and Highways Bond Fund within the Department of Public Service.

4. EMERGENCY DESIGNATION

Emergency action is requested to allow for the immediate execution of the necessary modification(s) and the encumbrance and expenditure of requisite funding for this project so as to prevent needless delays in the construction of these improvements.

To authorize the Director of Public Service to modify an existing agreement with Norfolk Southern Corporation relative to the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee project; to authorize the expenditure of up to \$15,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$15,000.00)

WHEREAS, the Department of Public Service is administering the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee project, resulting in the construction of various improvements to Alum Creek Drive from Performance Way/Refugee Road South to Frebis Avenue/Integrity Drive South for the purposes of increasing capacity, reducing delays, and improving safety; and

WHEREAS, the aforementioned project limits encompass real property owned by Norfolk Southern Corporation (Norfolk Southern); and

WHEREAS, the Department of Public Service proposed widening the existing Alum Creek Drive at-grade railroad crossing and installing drainage pipes and other utility improvements at that location, necessitating the execution of a construction agreement between the City and Norfolk Southern to facilitate the completion of those improvements; and

WHEREAS, Ordinance 1806-2016 authorized the Director of Public Service to enter into agreements with Norfolk Southern relative to the construction of that project; and

WHEREAS, it is necessary to modify the existing agreement between the parties to provide additional funding to support the continuation of work necessary to complete that effort; and

WHEREAS, an emergency exists in the usual operation of the Department of Public Service in that is immediately necessary to modify the aforementioned agreement in order to maintain the current project 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 hereby is authorized to modify an existing agreement with Norfolk Southern Corporation relative to the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee project.

SECTION 2. That the expenditure of \$15,000.00. or so much thereof as may be needed, is hereby authorized from Fund 7704 (Streets and Highways Bond Fund), Dept-Div 59-12 (Division of Design and Construction), Project P530103-100042 (Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee), in Object Class 06 (Capital Outlay), per

the accounting codes in the attachment to this ordinance.

SECTION 3. 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 4. 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 5. 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 6. 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.