



Legislation Details (With Text)

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On agenda: 11/19/2018 **Final action:** 11/21/2018

Title: To amend the 2018 Capital Improvement Budget; to authorize the Director of Public Service to enter into a construction agreement with Norfolk Southern Railway Company, or other railroad companies as needed, relative to the Bridge Rehabilitation - 5th Avenue under Conrail and Norfolk Southern Railroad project; to authorize the expenditure of \$110,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$110,000.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD 3069-2018 Accounting Codes

| Date | Ver. | Action By | Action | Result |
|------------|------|-----------------------|----------|--------|
| 11/21/2018 | 1 | ACTING CITY CLERK | Attest | |
| 11/20/2018 | 1 | MAYOR | Signed | |
| 11/19/2018 | 1 | COUNCIL PRESIDENT | Signed | |
| 11/19/2018 | 1 | Columbus City Council | Approved | Pass |

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into construction agreements with Norfolk Southern Railway Company, or other railroad companies as needed, relative to the Bridge Rehabilitation - 5th Avenue under Conrail and Norfolk Southern Railroad project.

The aforementioned project encompasses the rehabilitation of the railroad bridge over East Fifth Avenue. In the course of effecting roadway improvements it is necessary to contract with any railroads involved to perform railroad right-of-way improvements. The scope of work for this project necessitates that the Department of Public Service contract with Norfolk Southern Railway Company for work to be performed on or near its railroad facilities, and possibly other railroad companies if work should be performed on or near their facilities for this project. Work to be performed by the railroads includes track work, flagging, engineering, and final review of the plans.

The funding request for the aforementioned railroad right-of-way improvements work is based upon estimates from the railroads. The railroads will invoice the City for actual costs incurred in performing the improvements. The amount needed may exceed the amount requested in this ordinance. Additional legislation will be submitted by the Department of Public Service if additional funds are needed to complete the relocations.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery (State) produced no findings against Norfolk Southern Railway Company.

2. FISCAL IMPACT

Funding in the amount of \$110,000.00 is available for this project within the Streets and Highways Bond Fund, Fund 7704, within the Department of Public Service. An amendment to the 2018 Capital Improvement Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

3. EMERGENCY DESIGNATION

Emergency action is requested in order to allow for the timely execution of the requisite construction agreement, which is necessary to facilitate the construction of planned improvements in accordance with the current project schedule.

To amend the 2018 Capital Improvement Budget; to authorize the Director of Public Service to enter into a construction agreement with Norfolk Southern Railway Company, or other railroad companies as needed, relative to the Bridge Rehabilitation - 5th Avenue under Conrail and Norfolk Southern Railroad project; to authorize the expenditure of \$110,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$110,000.00)

WHEREAS, the Department of Public Service is engaged in the Bridge Rehabilitation - 5th Avenue under Conrail and Norfolk Southern Railroad project, which encompasses various improvements resulting in the rehabilitation of the railroad bridge over East Fifth Avenue; and

WHEREAS, that project requires cooperation from Norfolk Southern Railway Company, whose operations would be impacted by the proposed improvements; and

WHEREAS, this legislation authorizes the Director of Public Service to execute a construction agreement with Norfolk Southern Railway Company, and other railroad companies if needed, for the provision of materials and services necessary to the completion of the project, and

WHEREAS, the estimated cost of the work to be performed by Norfolk Southern Railway Company is \$110,000.00 and includes track work, flagging, engineering, and final review of the plans; and

WHEREAS, it is necessary to authorize an amendment to the 2018 Capital Improvement Budget for the purpose of providing sufficient spending authority for the project expenditures; 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 Director to enter into a construction agreement as soon as reasonably practicable to facilitate the construction of planned improvements in accordance with 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 2018 Capital Improvement Budget authorized by Ordinance 1010-2018 be and hereby is amended as follows to establish sufficient authority for this project expenditure:

Fund / Project / Project Name / Current / Change / Amended

7704 / P530301-100070 / Bridge Rehabilitation - Annual Citywide Contract (Voted 2016 Debt SIT Supported) / \$271,393.00 / (\$110,000.00) / \$161,393.00

7704 / P530301-160259 / Bridge Rehabilitation - 5th Avenue under Conrail and Norfolk Southern Railroad (Voted 2016 Debt SIT Supported) / \$0.00 / \$110,000.00 / \$110,000.00

SECTION 2. That the Director of Public Service be and is hereby authorized to enter into a construction agreement with Norfolk Southern Railway Company, or other railroad companies as needed, relative to the Bridge Rehabilitation - 5th Avenue under Conrail and Norfolk Southern Railroad project.

SECTION 3. That the expenditure of \$110,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5911 (Division of Infrastructure Management), Project P530301-160259 (Bridge Rehabilitation - 5th Avenue under Conrail and Norfolk Southern Railroad), Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this Ordinance.

SECTION 4. 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 5. 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 6. 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 7. 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.