



## Legislation Details (With Text)

**File #:** 2593-2019      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 10/1/2019      **In control:** Public Service & Transportation Committee

**On agenda:** 10/28/2019      **Final action:** 10/31/2019

**Title:** To authorize the Director of Public Service to grant consent and propose cooperation with the Director of the Ohio Department of Transportation relative to the FRA-IR70-12.68 (Project 4R and Livingston Avenue Phase A) project, PID 105523; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/31/2019	1	CITY CLERK	Attest	
10/30/2019	1	MAYOR	Signed	
10/28/2019	1	COUNCIL PRESIDENT	Signed	
10/28/2019	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-IR70-12.68 (Project 4R and Livingston Avenue Phase A) project, PID 105523.

The aforementioned project, slated to commence in spring 2020 and to conclude in summer 2023, encompasses the reconstruction of portions of I-70/71 eastbound/northbound and the rehabilitation of two I-70 bridges over SR315.

ODOT will ask the City to approve final legislation for the project at a later date. Funds were previously encumbered for this project when Council approved Ordinance 2066-2019.

### 2. FISCAL IMPACT

The local share of construction costs is projected to be \$5,300,000.00 based on initial cost estimates, which are subject to change. ODOT requires this amount to be deposited with them after the passage of final legislation and before ODOT will bid the project. Frequently the turnaround time given to provide funding to ODOT for the City cost share portion of a project cannot be met, forcing a delay in the construction schedule while bidding is postponed awaiting the City deposit. Funding to pay ODOT the deposit for this project was authorized under Ordinance 2066-2019 and the funds have been placed on an auditor's certificate to prevent a delay in the bidding of this project.

### 3. EMERGENCY DESIGNATION

Emergency action is requested to allow ODOT to maintain the planned project schedule and to 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 relative to the FRA-IR70-12.68 (Project 4R and Livingston Avenue Phase A) project, PID 105523; and to declare an emergency. (\$0.00)

**WHEREAS**, the Ohio Department of Transportation proposes to reconstruct portions of I-70/71 eastbound/northbound and rehabilitate two I-70 bridges over SR315; and

**WHEREAS**, the aforementioned project is located 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 relative to the FRA-IR70-12.68 (Project 4R and Livingston Avenue Phase A) project, PID 105523; 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 and to promote highway safety, 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 reconstruct portions of I-70/71 eastbound/northbound and rehabilitate two I-70 bridges over SR315.

**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 \$5,300,000.00 (subject to change based on final cost estimate and contract bidding information).

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.