



## Legislation Details (With Text)

**File #:** 1912-2021      **Version:** 1

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

**File created:** 7/2/2021      **In control:** Public Utilities Committee

**On agenda:** 7/19/2021      **Final action:** 7/22/2021

**Title:** To authorize the Director of Public Utilities to amend an agreement with the State of Ohio, Department of Transportation, for the Division of Sewerage and Drainage to provide Interstate Pump Station Maintenance with reimbursement from the State; and to declare an emergency. (\$0.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/22/2021	1	CITY CLERK	Attest	
7/20/2021	1	MAYOR	Signed	
7/19/2021	1	COUNCIL PRESIDENT	Signed	
7/19/2021	1	Columbus City Council	Approved	Pass

This legislation authorizes the Director of the Department of Public Utilities to amend an agreement with the State of Ohio, Department of Transportation for Interstate Pump Station Maintenance. In the interest of public safety and convenience, it is the desire of the parties hereto that the City of Columbus shall perform maintenance on, and make repairs to, all pump stations identified on I-71, I-70 and I-670 (“the Interstate Highways”) using its own labor forces, equipment and materials, or by contracting for these items, with reimbursement from the State.

The term of the original agreement was from July 1, 2002 through June 30, 2003. This 17<sup>th</sup> amendment will be for the period of July 1, 2021 through June 30, 2022.

ODOT shall reimburse the City at a fixed rate of \$108.00 per hour for the use of City labor, City equipment, and City materials or for labor, equipment, and materials contracted for by the City, to perform the routine maintenance and operation of the interstate pump stations as defined in Paragraph 1.6 of the Agreement. In addition to pump station maintenance reimbursement, the City shall invoice, or cause a utility company to invoice, the State monthly for the cost of energy furnished to the pump station. The fixed rate may be adjusted each year on July 1<sup>st</sup> only by written amendment to this Agreement executed by ODOT and the City.

In the event that the City or State believes it to be necessary that extraordinary maintenance work should be performed on the interstate highway system, such work may be performed upon mutual agreement of both parties and the City will invoice the State for the extraordinary work based on actual costs for labor, material and equipment as defined in Section III - Extraordinary Maintenance, of the agreement.

All other terms and conditions of the original agreement shall remain the same and in full force and effect for the duration of this 17<sup>th</sup> amendment.

**FISCAL IMPACT:** The Division of Sewerage and Drainage shall be reimbursed at a fixed per hour rate for the use of City labor, City equipment, and City materials or for labor, equipment, and materials contracted for by the City to perform

the routine maintenance and operation of the interstate pump stations. The City shall either be reimbursed for the cost of energy furnished to the pump station or cause a utility company to invoice and be paid directly from the State.

**EMERGENCY DESIGNATION:** This ordinance is being submitted as an emergency because without emergency action, no less than thirty-seven days will be added to this contract and the efficient delivery of valuable public services to ODOT for the necessary Interstate Pump Station Maintenance would be delayed.

To authorize the Director of Public Utilities to amend an agreement with the State of Ohio, Department of Transportation, for the Division of Sewerage and Drainage to provide Interstate Pump Station Maintenance with reimbursement from the State; and to declare an emergency. (\$0.00)

**WHEREAS,** the State of Ohio, Department of Transportation is responsible for the maintenance and repairs of all pump stations identified on I-71, I-70 and I-670 (“the Interstate Highways”); and

**WHEREAS,** in the interest of public safety and convenience, it is the desire of the parties hereto that the City of Columbus shall perform maintenance on, and make repairs to, all pump stations identified on the Interstate Highways using its own labor forces, equipment and materials, or by contracting for these items, with reimbursement from the State; and

**WHEREAS,** it is in the best interest of the City of Columbus and the State of Ohio to authorize the Director of Public Utilities to amend an agreement with the State of Ohio, Department of Transportation for Interstate Pump Station Maintenance; and

**WHEREAS,** the term of the original agreement was from July 1, 2002 through June 30, 2003. This 17<sup>th</sup> Amendment will be for the period of July 1, 2021 through June 30, 2022; and

**WHEREAS,** the Division of Sewerage and Drainage shall be reimbursed at a fixed per hour rate for the use of City labor, City equipment, and City materials or for labor, equipment, and materials contracted for by the City to perform the routine maintenance and operation of the interstate pump stations. The City shall either be reimbursed for the cost of energy furnished to the pump station or cause a utility company to invoice and be paid directly from the State; and

**WHEREAS,** the fixed rate may be adjusted each year on July 1<sup>st</sup> only by written amendment to this Agreement executed by ODOT and the City; and

**WHEREAS,** in the event that the City or State believes it to be necessary that extraordinary maintenance work should be performed on the interstate highway system, such work may be performed upon mutual agreement of both parties and the City will invoice the State for the extraordinary work based on actual costs for labor, material and equipment as defined in Section III - Extraordinary Maintenance, of the agreement; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director of Public Utilities to amend an agreement with the State of Ohio, Department of Transportation to allow the Division of Sewerage and Drainage to provide for the efficient delivery of valuable public services to ODOT for the necessary Interstate Pump Station Maintenance, for the preservation of the public health, peace, property and safety; now, therefore

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

**SECTION 1.** That the Director of Public Utilities be and is hereby authorized to amend an agreement with the State of Ohio, Department of Transportation, to allow for the Division of Sewerage and Drainage to provide the necessary

Interstate Pump Station Maintenance services, in accordance with the terms and conditions as shown in the agreement and amendments on file in the office of the Division of Sewerage and Drainage for the period from July 1, 2021 through June 30, 2022.

**SECTION 2.** 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.