



## Legislation Text

**File #: 0292-2008, Version: 1**

The City is engaged in the Alum Creek Drive Improvement Project. This project consists of the widening and reconstruction of approximately 2.07 miles of Alum Creek Drive from Williams Road northward to Performance Way/Refugee Road South. Total project costs, including design engineering, land acquisition, utility relocation and construction, are estimated to be \$15 million. Construction is anticipated to begin in mid 2011 and be completed by the end of 2013. Successful completion of this project requires that the City acquire fee simple title and lesser interests in and to various properties located along the project corridor and that the City participate in the relocation of existing utilities along these roadways. Ordinance 0386-2007, April 23, 2007 was passed by City Council to provide funding and to authorize the City Attorney to contract for professional services, including the hiring of independent appraisers, necessary for the acquisition of the remaining parcels. Because of the large number of parcels to be acquired and the time allowed for acquisition it is necessary to hire more than one appraiser whose past performance with the City has displayed a high level of competence, excellent quality of work and a consistent success in meeting similar narrow deadlines and because the City is receiving funding from ODOT, are on ODOT's list of qualified appraisers. Appraisers in the Columbus area on ODOT's qualified list were contacted and of those contacted, six appraisers indicated they can meet the time frames required for the project. For all six appraisers, the total cost of appraising the parcels assigned exceeds \$20,000.00, but does not exceed \$50,000.00. Six independent appraisers have submitted qualifications and time frame proposals that meet the aforementioned criteria. It is therefore necessary, to the extent it may be applicable, to request that City Council waive the process for awarding professional service contracts exceeding twenty thousand dollars, but not exceeding fifty thousand dollars, as relates to this transaction only.

**Fiscal Impact:** This is a Federal/State/City participation project with 80% of the total right-of-way acquisition costs being paid for with Federal/State funds and 20% of the total costs being paid from City funds. Monies to pay 100% of these costs are budgeted and available within the 2006 CIB in the 1995, 1999, 2004 Voted Streets and Highways Fund. These funds will be transferred to fund 765, the Federal State Highway Engineering Fund. As these funds are expended by the City Attorney's Real Estate Division the Transportation Division will seek reimbursement out of Federal/State funds for 80% of the total dollars spent.

**Emergency Justification:** Emergency action is requested to allow the City Attorney's Real Estate Division to immediately begin acquisition of the additional rights-of-way needed for this project so that utility relocation and construction of this improvement can proceed as currently scheduled.

To authorize the City Attorney to execute those documents necessary to enter into agreements, severally, with individual appraisers Cherie Hardgrove, Franklin Hinkle, Kenneth Wilson, Edwin Merrell, and Brian Barnes for professional services necessary to the Alum Creek Drive Improvement Project, and to the extent it may be applicable, to waive the process for awarding professional service contracts exceeding twenty thousand dollars, but not exceeding fifty thousand dollars, as relates to this transaction only and to declare an emergency. (City Code 329.11).

WHEREAS, the City of Columbus, Public Service Department, Transportation Division, is engaged in the Alum Creek Drive Improvement Project; and

WHEREAS, this project consists of the widening and reconstruction of approximately 2.07 miles of Alum Creek Drive from Williams Road northward to Performance Way/Refugee Road South; and

WHEREAS, total project costs, including design engineering, land acquisition, utility relocation and construction, are estimated to be \$15 million; and

WHEREAS, construction is anticipated to begin in mid 2011 and be completed by the end of 2013; and

WHEREAS, successful completion of this project requires that the City acquire fee simple title and lesser interests in and to various properties located along the project corridor and that the City participate in the relocation of existing utilities along these

roadways; and

WHEREAS, Ordinance 0386-2007, April 23, 2007 was passed by City Council to provide funding and to authorize the City Attorney to contract for professional services, including the hiring of independent appraisers, necessary for the acquisition of the remaining parcels; and

WHEREAS, right-of-way acquisition is to be completed prior to the beginning of construction; and

WHEREAS, it is in the best interest of the City to hire more than one appraiser whose past performance with the City has displayed a high level of competence, excellent quality of work, consistent success in meeting similar narrow deadlines and are on ODOT's list of qualified appraisers; and

WHEREAS, appraisers in the Columbus area on ODOT's qualified list were contacted and of those contacted, six appraisers indicated they can meet the time frames required for the project; and

WHEREAS, for all six appraisers, the total cost of appraising the parcels assigned exceeds \$20,000.00, but does not exceed \$50,000.00; and

WHEREAS, six independent appraisers have submitted qualifications and time frame proposals that meet the aforementioned criteria; and

WHEREAS, it is therefore necessary, to the extent it may be applicable, to request that City Council waive the process for awarding professional service contracts exceeding twenty thousand dollars, but not exceeding fifty thousand dollars, as relates to this transaction only; and

WHEREAS, an emergency exists in the usual daily operation of the City of Columbus, in that it is immediately necessary that City Council waive all provisions as set forth in the Columbus City Code (329.11) relative to the process for awarding professional service contracts exceeding twenty thousand dollars (\$20,000.00), but not exceeding fifty thousand dollars (\$50,000.00), as relates to this transaction only, to allow the City Attorney enter into an agreement, severally, between the City of Columbus, and individual appraisers Cherie Hardgrove, Franklin Hinkle, Kenneth Wilson, Edwin Merrell, and Brian Barnes, for appraisal services necessary to the Alum Creek Drive Improvement Project for the immediate 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 City Attorney be, and hereby is, authorized to execute those documents necessary to enter into agreements, severally, with individual appraisers Cherie Hardgrove, Franklin Hinkle, Kenneth Wilson, Edwin Merrell, and Brian Barnes for professional services necessary to the Alum Creek Drive Improvement Project.

Section 2. That this Council has determined that it is in the best interest of the City of Columbus to waive and does hereby waive all provisions as set forth in the Columbus City Code (329.11) relative to the process for awarding professional service contracts to Cherie Hardgrove, Franklin Hinkle, Kenneth Wilson, Edwin Merrell, and Brian Barnes exceeding twenty thousand dollars (\$20,000.00), but not exceeding fifty thousand dollars (\$50,000.00), as relates to this transaction only.

Section 3. 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 its passage if the Mayor neither approves nor vetoes the same.