



Legislation Text

File #: 0314-2014, Version: 1

1. BACKGROUND: The City of Columbus, Ohio, Department of Public Service (“City”), is engaged in the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee (FRA-CR122-6.22 (PID 85017)) project (“Project”). In order for the City to complete this project, the City must enter into an agreement with the Norfolk Southern Railway Company (“NSRC”), a Virginia corporation. Therefore, this ordinance authorizes the City’s Director of the Department of Public Service to enter into an agreement with NSRC. The purpose of this agreement is to allow NSRC to review and approve engineering and design plans, specifications, drawings, and other documents pertaining to the Project; to prepare cost estimates for NSRC’s work related to the project; and review of construction cost estimates, site surveys, assessments, studies, and related construction documents submitted to NSRC.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against NSRC.

2. CONTRACT COMPLIANCE: Norfolk Southern Railway Company contract compliance number is 536002016/005 and expires on 4/17/15.

3. FISCAL IMPACT: Funds in the amount of \$22,500.00 are available for this project in the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2013 Capital Improvements fund is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

4. EMERGENCY DESIGNATION: Emergency action is requested to provide necessary engineering and design funding and prevent unnecessary delays in the Department of Public Service’s Capital Improvement Program.

To amend the 2013 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Service to enter into an agreement with the Norfolk Southern Railway Company, a Virginia corporation, for the review of plans and associated work pertaining to the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee (FRA-CR122-6.22 (PID 85017)) project; to authorize the expenditure of funds within the Street and Highway Improvement Fund for the expenses incurred by the railroad; and to declare an emergency. (\$22,500.00)

WHEREAS, the City of Columbus, Ohio, Department of Public Service is engaged in the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee (FRA-CR122-6.22 (PID 85017)) (“Project”), which the Project crosses over real property owned by the Norfolk Southern Railway Company (“NSRC”), a Virginia corporation; and

WHEREAS, it is necessary to authorize the Director of the Department of Public Service to enter into an agreement with NSRC to allow review and associated work for the Project; and to provide payment to NSRC for costs incurred during the design of the Project; and

WHEREAS, it is necessary to authorize an amendment to the 2013 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service because the agreements’ funding should be authorized immediately in order to allow the Project to proceed without delay, which will preserve the public peace, property, health, safety, and welfare of those individuals living and traveling within the area of the Project. Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS, OHIO:

SECTION 1. That the 2013 Capital Improvements Budget authorized by ordinance 0645-2013 be and is hereby to provide sufficient budget authority for the appropriate projects authorized within this ordinance as follows:

Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended

704 / 440104-100008 / Roadway Improvements - 18th St. (Voted 2008) / \$916,141 / (\$7,803) / \$908,338

704 / 530103-100042 / Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee (Voted 2008) / \$14,697 / \$7,803 / \$22,500

SECTION 2. That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways G.O. Bonds Fund, No. 704, as follows:

Transfer from:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 440104-100008 / Roadway Improvements - 18th St. / 06-6600 / 741048 / \$7,803.00

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530103-100042 / Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee / 06-6600 / 740342 / \$7,803.00

SECTION 3. The Director of the Department of Public Service is authorized to enter into an agreement with the Norfolk Southern Railway Company ("NSRC"), a Virginia corporation, for the purpose of authorizing NSRC to review plans and perform other work pertaining to the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee (FRA-CR122-6.22 (PID 85017)) Project.

SECTION 4. That for the purpose of paying the cost of this contract the sum of up to \$22,500.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways Bond Fund as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530103-100042 / Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee / 06-6631 / 740342 / \$22,500.00

SECTION 5. 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 6. 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 7. 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 8. 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.