



## Legislation Text

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**File #:** 1806-2016, **Version:** 1

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### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into agreements with Norfolk Southern Corporation relative to the construction of the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee project, located in the Near South Community Planning Area.

The Department of Public Service is administering the aforementioned project, which will result in various improvements to Alum Creek Drive from Performance Way/Refugee Road South to Frebis Avenue/Integrity Drive South for the purposes of increasing capacity, reducing delays, and increasing safety. Planned improvements include: pavement reconstruction and widening; addition of new pedestrian and bikeway facilities on each side of the roadway; and installation of new storm sewers; street trees, and street lighting.

The project limits encompass real property owned by Norfolk Southern Corporation, necessitating the execution of a construction agreement between the City and the property owner relative to project.

### 2. CONTRACT COMPLIANCE

The contract compliance number for Norfolk Southern Corporation is 53-6002016 and is currently expired. Norfolk Southern will need to renew their compliance before a contract is signed.

### 3. FISCAL IMPACT

Funding in the amount of \$717,929.00 is available for the project as follows: \$143,575.80 from the Streets and Highways Bond Fund, Fund 7704, within the Department of Public Service and \$574,343.20 in federal grant funds to be deposited in the Alum Creek Drive/Frebis-Refugee Grant Fund, Fund 7765, within the Department of Public Service. An amendment to the 2016 Capital Improvements Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

### 4. EMERGENCY DESIGNATION

Emergency action is requested in order to facilitate the timely execution of agreements between the Department of Public Service and Norfolk Southern Corporation and to make requisite funding for this project immediately available so as to avoid unnecessary delays in the completion of this project.

To amend the 2016 Capital Improvements Budget; to authorize the Director of Public Service to enter into agreements with Norfolk Southern Corporation; to authorize the City Auditor to transfer cash and appropriation within the Streets and Highways Bond Fund; to authorize the expenditure of \$143,585.80 from the Streets and Highways Bond Fund; to authorize the expenditure of \$574,343.20 from the Alum Creek Drive/Frebis-Refugee Grant Fund; and to declare an emergency. (\$717,929.00)

**WHEREAS**, the Department of Public Service is engaged in the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee project, which will result in various improvements to Alum Creek from Performance Way/Refugee Road South to Frebis Avenue/Integrity Drive South for the purposes of increasing capacity, reducing delays, and increasing safety; and

**WHEREAS**, the aforementioned project limits encompass real property owned by Norfolk Southern Corporation; and

**WHEREAS**, it is necessary to authorize the Director of Public Service to enter into a construction agreement and other agreements as may be necessary with Norfolk Southern Corporation relative to the completion of the aforementioned project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2016 Capital Improvements Budget for the purpose of providing sufficient spending authority for the project expenditure; 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 agreements with Norfolk Southern Corporation and the encumbrance and expenditure of requisite funds to facilitate the completion of the aforementioned capital improvement project, thereby preserving the public health, peace, safety, and welfare; now therefore

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

**SECTION 1.** That the 2016 Capital Improvements Budget authorized by Ordinance 0960-2016 be amended to establish sufficient authority for this project as follows:

**Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as Amended**

7704 / P530103-100038 / Arterial Street Rehabilitation - Hard Road Phase A/Sawmill Road - Smoky Row Road (Voted Carryover) / \$923,918.00 / (\$77,190.00) / \$846,728.00

7704 / P530103-100042 / Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee (Voted Carryover) / \$66,396.00 / \$77,190.00 / \$143,586.00

**SECTION 2.** That the Director of Public Service be and hereby is authorized to enter into agreements with Norfolk Southern Corporation relative to the Arterial Street Rehabilitation - Alum Creek Drive - Frebis to Refugee project and to reimburse Norfolk Southern Corporation for eligible construction costs incurred during that effort.

**SECTION 3.** That the transfer of \$77,190.00, or so much thereof as may be needed is hereby authorized within Fund 7704 Streets and Highways Bond Fund per the accounting codes in the attachment to this ordinance.

**SECTION 4.** That the expenditure of \$717,929.00, or much thereof as may be needed, is hereby authored in Fund 7704 Streets and Highways Bond Fund and in Fund 7765 Alum Creek Drive/Frebis-Refugee Grant Fund in object class 06 Capital Outlay per the accounting code in the attachment to this ordinance.

**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.