



## Legislation Text

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**File #:** 1914-2016, **Version:** 1

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### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to grant consent and propose cooperation with the Ohio Department of Transportation (ODOT) relative to the FRA-70/71-12.89/14.93 Columbus Power project, PID 103184.

The aforementioned effort will encompass the relocation of City of Columbus electric facilities in advance of the construction of FRA-70-12.68 (Project 4A), PID 77372. Construction of the project is slated to begin in the winter of 2017 and conclude in the fall of 2018.

### 2. EMERGENCY DESIGNATION

Emergency action is requested to allow ODOT to maintain the planned schedule for this project.

### 3. FISCAL IMPACT

The estimated construction cost for this project is \$3,800,000.00, which will be fully funded by ODOT. As such, there is no anticipated cost to the City for this project.

To authorize the Director of Public Service to grant consent and propose cooperation with the Director of the Ohio Department of Transportation, State of Ohio for the design and construction of the FRA-70/71-12.89/14.93 Columbus Power project, which consists of the relocation of City of Columbus electric facilities; and to declare an emergency. (\$0.00)

**WHEREAS**, the Ohio Department of Transportation (ODOT) proposes relocating City of Columbus electric facilities in advance of the construction of FRA-70-12.68 (Project 4A), PID 77372; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to grant consent and propose cooperation with ODOT relative to that effort; 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 for this project in order to maintain the schedule established by ODOT, thereby preserving the public health, peace, property, safety and welfare; now therefore

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

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

The STATE has identified the need for the described project:

Relocate City of Columbus power line in advance of FRA-70-12.68 (Project 4A), PID 77372.

#### 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 for 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.

ODOT agrees to assume and bear the costs of preliminary engineering, right-of-way, and construction by administering Federal and State funds for this project.

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. Right-of-way costs include eligible utility costs. ODOT agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall 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 resources, 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. Emergency Designation**

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.