



## Legislation Text

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**File #:** 1989-2018, **Version:** 1

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### **1. BACKGROUND:**

This legislation authorizes payment for utility relocation work by American Electric Power, AT&T, Spectrum (aka Time Warner), Windstream, and other utilities as needed in an amount up to \$2,182,999.00.

The Department of Public Service is engaged in the Roadway Improvements - Livingston Avenue Phase C - Fifth Street to Kennedy Drive project. Project improvements include roadway reconstruction, bike lanes, sidewalks, street trees, drainage, waterline improvements, replacement of traffic signals, and relocating overhead utilities underground.

In the course of effecting roadway improvements, it is sometimes necessary to force the relocation of utilities from privately held easements or place overhead utilities underground to promote public health, safety and the welfare including the economic development of the City. It is necessary to move utilities to complete this project.

The funding request for utilities relocation reimbursement is based upon estimates from the utilities. The utilities will invoice the City for actual costs incurred in relocating the utilities. The amount needed may exceed the amount requested in this ordinance. Additional legislation will be submitted by the Department of Public Service if additional funds are needed to complete the relocations.

### **2. FISCAL IMPACT:**

This is a budgeted expense. Funding for this expenditure is available within Fund 7704, the Streets and Highways Bond Fund. It is necessary to cancel ACDI000350 in the amount of \$200,000.00 to align cash with the appropriate project.

### **3. EMERGENCY DESIGNATION**

Public Service is requesting emergency designation so as to provide funding for utility reimbursements at the earliest possible time to maintain the project construction schedule.

To amend the 2018 Capital Improvement Budget; to authorize the Director of Public Service to pay utility relocation costs to various utilities for the Roadway Improvements - Livingston Avenue Phase C - Fifth Street to Kennedy Drive project; to authorize the expenditure of up to \$2,182,999.00, for utility relocations for this project from the Streets & Highways Bond Fund; and to declare an emergency. (\$2,182,999.00)

**WHEREAS**, the Department of Public Service is engaged in the Roadway Improvements - Livingston Avenue Phase C - Fifth Street to Kennedy Drive project; and

**WHEREAS**, project improvements include roadway reconstruction, bike lanes, sidewalks, street trees, drainage, waterline improvements, replacement of traffic signals, and relocating overhead utilities underground; and

**WHEREAS**, utility relocations must be completed before construction can begin; and

**WHEREAS**, the Department of Public Service requires funding to be available for utility relocation expenses for the project; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$2,182,999.00 for that purpose; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is necessary to authorize payment for utility relocation expenses at the earliest possible time to prevent construction delays, thereby

preserving the public health, peace, property, safety and welfare; **NOW, THEREFORE:**

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

**SECTION 1.** That the City Auditor is hereby authorized and directed to execute a cancellation of the following document:

<u>Document</u>	<u>Amount</u>
ACDI000350	\$200,000.00

**SECTION 2.** That the 2018 Capital Improvements Budget authorized by ordinance 1010-2018 be amended as follows to establish sufficient authority for this project:

**Fund / Project / Project Name / Current / Change / Amended**

7704 / P530161-100000 / Roadway Improvements (Voted Carryover) / \$131,481.00 / \$200,000.00 / \$331,481.00 (to match cash from the cancellation of ACDI000350)

7704 / P530161-100000 / Roadway Improvements (Voted Carryover) / \$331,481.00 / (\$200,000.00) / \$131,481.00

7704 / P530161-100166 / Roadway Improvements - Livingston Avenue Phase C - Fifth Street to Kennedy Drive (Voted Carryover) / \$11,700,000.00 / \$200,000.00 / \$11,900,000.00

**SECTION 3.** That the Director of Public Service be and hereby is authorized to reimburse utilities for utility relocation costs to American Electric Power, AT&T, Spectrum (aka Time Warner), Windstream, and other utilities as necessary, for the Roadway Improvements - Livingston Avenue Phase C - Fifth Street to Kennedy Drive project.

**SECTION 4.** That the expenditure of \$2,182,999.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), in Dept-Div 59-12 (Division of Design and Construction), Project P530161-100166 (Roadway Improvements - Livingston Avenue Phase C - Fifth Street to Kennedy Drive), in Object Class 06 (Capital Outlay) per the accounting codes 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 this ordinance's preamble, which are made a part of this ordinance, this ordinance is declared to be an emergency measure and is effective and in force from and after its passage and approval by the Mayor or ten (10) days after its passage if the Mayor neither approves nor vetoes this ordinance.