



## Legislation Text

**File #: 0611-2019, Version: 1**

### **1. BACKGROUND:**

This legislation authorizes payment for utility relocation work by American Electric Power, AT&T, Spectrum (aka Time Warner), Windstream, other utility companies, and companies hired by utility companies, to perform utility relocation work as needed in an amount up to \$287,000.00 for the Roadway Improvements - I70/I71 South Freeway - Phase 3B project.

The Public Service Department is engaged in the Roadway Improvements - I70/I71 South Freeway - Phase 3B project. Project work involves several phases and includes widening and enhancements to streets located within the project corridor. Project improvements include pavement, sidewalks, bike lanes, street lighting, traffic signals, and utility relocations.

In the course of effecting roadway improvements, it is sometimes necessary to force the relocation of utility facilities from privately held easements or place overhead facilities underground to promote public health, safety and welfare, including the economic development of the City. These relocations are in areas where the City has previously allowed utility facilities but established an underground utility district by ordinance 0305-2015. There is a need to relocate utility facilities due to this project.

Ordinance 0460-2013, Ordinance 0488-2014, Ordinance 0978-2016 and Ordinance 2343-2016 authorized payment for utility relocation work by AEP, AT&T, Spectrum/Charter, XO and other companies in an amount up to \$3,579,502.00 for previous phases of the I70/I71 Freeway project. This legislation authorizes additional payment for utility relocation work by AEP, AT&T, Spectrum/Charter, XO, and other companies up to the amount of \$287,000.00. The total amount authorized for utility relocation for all phases including this ordinance is \$3,866,502.00.

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 more funds are needed to complete the relocations.

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

This is a budgeted expense with funding available within Fund 7704, the Streets and Highways Bond Fund, Project P530161-100192 (Roadway Improvements - I70/I71 South Freeway - Phase 3B).

### **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 authorize the Director of Public Service to pay utility relocation costs to various utilities for the Roadway Improvements - I70/I71 South Freeway - Phase 3B project; to authorize the expenditure of up to \$287,000.00 for utility relocations for this project from the Streets & Highways Bond Fund; and to declare an emergency. (\$287,000.00)

**WHEREAS**, the City of Columbus is concerned with the use of the various rights-of-way areas in the City as such rights-of-way areas represent a valuable and limited resource that must be utilized to promote the public health, safety and welfare, including the economic development of the City; 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 Roadway Improvements - I70/I71 South Freeway - Phase 3B project; and

**WHEREAS**, this ordinance authorizes funding in the amount of \$287,000.00 for that purpose; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately 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 Director of Public Service be and hereby is authorized to reimburse American Electric Power, AT&T, Spectrum (aka Time Warner), Windstream, other utility companies, and companies hired by utility companies, to perform utility relocation work as necessary for the Roadway Improvements - I70/I71 South Freeway - Phase 3B project.

**SECTION 2.** That the expenditure of \$287,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), in Dept-Div 5913 (Division of Traffic Management), Project P530161-100192 (Roadway Improvements - I70/I71 South Freeway - Phase 3B), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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.