File #: 2051-2021, **Version:** 1

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-US33-23.00 project, PID 112584.

The aforementioned effort, which is slated to commence in the summer of 2022, encompasses resurfacing and repairing portions of US 33 and James Road.

2. FISCAL IMPACT
There is no anticipated cost to the City for this project, as ODOT shall assume and bear all associated preliminary engineering, right-of-way acquisition, and construction costs.

3. EMERGENCY DESIGNATION
Emergency action is requested to allow ODOT to maintain the planned construction schedule and promote highway safety.

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 relative to the resurfacing of portions of US33 and James Road; and to declare an emergency. ($0.00)

WHEREAS, the Ohio Department of Transportation (ODOT) proposes resurfacing and portions of US 33 and James Road; and

WHEREAS, this improvement project is within the Columbus corporate boundaries; and

WHEREAS, this ordinance authorizes the Director of Public Service to grant consent and propose cooperation with ODOT relative to the FRA-US33-23.00 project, PID 112584; 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 grant consent to ODOT so as to allow construction to proceed in accordance with the schedule established by ODOT for this project, 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:

Resurfacing of US 33 and portions of James Rd within the City of Columbus. Resurfacing to include pavement repairs, structural overlay, replacement of loop detectors, pavement marking and raised pavement markings, along with other associated work.

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 State shall assume and bear 100% of all of the costs of the improvement.

The LPA further agrees to pay One Hundred Percent (100%) of the cost of those features requested by the LPA which are determined by the State and Federal Highway Administration to be unnecessary for the Project.

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. The LPA also understands that right-of way costs include eligible utility costs.

SECTION 5. MAINTENANCE
Upon completion of the described Project, and unless otherwise agreed, the LPA shall: (1) provide adequate maintenance for the described Project in accordance with all applicable state and federal law, including, but not limited to, 23 USC 116; (2) provide ample financial provisions, 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.