



## Legislation Text

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**File #:** 1090-2022, **Version:** 1

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### 1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into agreements with and to provide funding to 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 pavement on U.S. 33 between the U.S. 33/S.R. 104 interchange and approximately 1.34 mile south of the interchange; the westbound U.S. 33/S.R. 104 interchange exit/entrance ramps; and northbound James Road between approximately 1,050 feet south of I-70 and just south of Ravenswood Court. The work will also include signage and pavement markings as needed.

Ordinance 2051-2021, which passed on September 13, 2021, authorized the Director of Public Service to grant consent and propose cooperation with ODOT relative to the FRA-US33-23.00 project, PID 112584 for the aforesaid project. At that time, there was no anticipated cost to the City because ODOT was to assume and bear all associated preliminary engineering, right-of-way acquisition, and construction costs. However, when ODOT let the project on January 27, 2022, the apparent low bid substantially exceeded the original cost estimate and the amount ODOT had available to complete the work, prompting ODOT to seek additional funding from the Department of Public Service to support completion of the project.

### 2. FISCAL IMPACT

Funding in the amount of up to \$424,000.00 is available within the Streets and Highways Bond Fund within the Department of Public Service to support the local share of estimated construction costs; however, the final cost to the City may vary based on the results of the competitive bidding process administered by ODOT. An amendment to the 2021 Capital Improvement Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned expenditure. The funds are appropriated.

### 3. EMERGENCY DESIGNATION

Emergency action is requested in order to maintain the project schedule established by ODOT and to promote highway safety.

To amend the 2021 Capital Improvement Budget; to authorize the Director of Public Service to enter into agreements with and to provide funding to the Ohio Department of Transportation relative to the resurfacing of portions of US33 and James Road lying within the City of Columbus; to authorize the expenditure of up to \$424,000.00 from the Streets and Highways Bond Fund to support that project; and to declare an emergency. (\$424,000.00)

**WHEREAS**, the Ohio Department of Transportation (ODOT) proposes resurfacing portions of US 33 and James Road lying within the City of Columbus corporate boundaries; and

**WHEREAS**, Ordinance 2051-2021, which passed on September 13, 2021, authorized the Director of Public Service to grant consent and to agree to cooperate with ODOT relative to the FRA-US33-23.00 project, PID 112584; and

**WHEREAS**, at that time, there was no anticipated cost to the Department of Public Service because ODOT was to assume and bear all associated preliminary engineering, right-of-way acquisition, and construction costs; and

**WHEREAS**, ODOT let the project on January 27, 2022, at which time the apparent low bid substantially exceeded the

original cost estimate and the money ODOT had to pay for the project, prompting ODOT to seek additional funding from the Department of Public Service to support completion of the project; and

**WHEREAS**, the City agrees to assume and bear a portion of the project costs up to \$424,000.00, although the City's share of said improvements shall correspond to actual costs when those costs are determined; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to enter into agreements with and to make payment to ODOT relative to the aforementioned project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2021 Capital Improvement Budget for the purpose of providing sufficient budget authority for the aforementioned 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 consent and cooperation for this project in order to maintain the schedule established by ODOT and to promote highway safety, 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 2021 Capital Improvement Budget authorized by Ordinance 2707-2021 be and is hereby amended to provide sufficient budget authority for the expenditure as follows:

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

7704 / P530282-932018 / Resurfacing - 2018 Project 3 (Voted Carryover) / \$426,529.00 / (\$424,000.00) / \$2,529.00

7704 / P530282-100165 / Resurfacing - US33-SR104 Interchange (Voted Carryover) / \$0.00 / \$424,000.00 / \$424,000.00

**SECTION 2.** That the Director of Public Service be and hereby is authorized to enter into a contribution agreement, and any amendments or modifications thereto as may be necessary, with the Ohio Department of Transportation (ODOT) and to make payment to ODOT relative to the FRA-US33-23.00 project, PID 112584.

**SECTION 3.** That the expenditure of \$424,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 59-11 (Division of Infrastructure Management), Project P530282-100165 (Resurfacing - US33-SR104 Interchange), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

**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 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 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 7.** 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.