



## Legislation Text

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**File #:** 1299-2022, **Version:** 1

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### **1. BACKGROUND**

This ordinance authorizes the encumbrance of funding in the amount of up to \$3,787,930.65 for the Roadway Improvements - I-70/71 South and East Freeways project and authorizes the Director of Public Service to expend funds to support utility relocations and construction services for the project.

Administered by the Ohio Department of Transportation, the project consists of several phases culminating in various improvements to the Interstate Route 70 (IR70) and Interstate Route 71 (IR71) corridor in Downtown Columbus, including reconstructing and widening portions of IR70 eastbound and westbound between Fourth Street and Miller Avenue and resurfacing portions of IR70 and IR71. The project commenced construction in 2019 and construction is expected to continue for several more years. The funds encumbered by this ordinance will be available for use on current and future phases of the project.

Ordinance 2066-2019 authorized the Director of Public Service to grant consent and propose cooperation with ODOT relative to the Roadway Improvements - I-70/71 South and East Freeways project and to expend \$8,200,000.00 to defray the cost of anticipated construction and inspection services necessary for the completion of the project. Ordinance 0556-2020 authorized the encumbrance and expenditure of funding in the amount of up to \$625,315.00 to support anticipated utility relocation, construction, and inspection costs in current or future phases of the project. That ordinance also authorized the Director of Public Service to execute agreements, including any future amendments or modifications thereto, if needed, with ODOT to advance the construction of the needed public infrastructure improvements.

Ordinance 1157-2021 authorized the encumbrance and expenditure of funding in the amount of up to \$4,650,000.00 to support anticipated utility relocation, construction, and inspection costs in current or future phases of the project.

There are additional phases planned for this project which will need funding. Funding needs in excess of the amount encumbered with this ordinance for the current project phases and for future phases of the project will be submitted for Council consideration with future ordinances.

### **2. FISCAL IMPACT**

Funding for this project is available in the Streets and Highways Bond Fund, Fund 7704, in an amount of up to \$294,998.64. An amendment to the 2021 Capital Improvement Budget is necessary to establish sufficient budget authority for these expenditures. Funds are appropriated.

Additional funding in an amount of up to \$3,100,000.00 is budgeted within the 2021 Capital Improvements Budget, Fund 7704, Streets and Highways Bond Fund, which has been approved by Council under Ordinance 2707-2021. This funding is contingent upon receipt of the bond sale funds.

The remaining funding in the amount of \$392,932.01 is available in the Streets and Highways Non-Bond Fund, Fund 7766. These funds will need to be appropriated.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested to allow ODOT to maintain the planned project schedule and to promote highway safety.

To amend the 2021 Capital Improvement Budget; to appropriate funds within the Streets and Highways Non-Bond Fund; to authorize the Director of Public Service to expend up to \$3,787,930.65 from the Streets and Highways Bond Fund and

the Streets and Highways Non-Bond Fund to pay ODOT and/or utility companies for the Roadway Improvements - I-70/71 South and East Freeway project; and to declare an emergency. (\$3,787,930.65)

**WHEREAS**, the Ohio Department of Transportation proposes to construct various improvements to IR70/IR71 eastbound and westbound between 4<sup>th</sup> Street and Miller Avenue as part of Roadway Improvements - I-70/71 South and East Freeways project; and

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

**WHEREAS**, Ordinance 2066-2019 authorized the Director of Public Service to grant consent and propose cooperation with ODOT relative to the Roadway Improvements - I-70/71 South and East Freeways project; and

**WHEREAS**, it is necessary to encumber and expend additional funds for the City share of the costs for the current phases of this project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2021 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, funds must be appropriated within the Streets and Highways Non Bond Fund; and

**WHEREAS**, this ordinance is contingent upon receipt of the bond sale funds; and

**WHEREAS**, there are additional phases planned for this project which will need funding, and funding needs in excess of the amount encumbered with this ordinance for the current project phases and for future phases of the project will be submitted for Council consideration with future ordinances; 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 of Public Service expend these funds so as to allow ODOT to maintain the planned project schedule 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 Improvements Budget authorized by ordinance 2707-2021 be amended as follows to establish sufficient authority for this project:

**Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended**

7704 / P530161-100208 / Roadway Improvements - I70/71 South Freeway Phase 4E (Voted Carryover) / \$200,000.00 / \$44,999.00 / \$244,999.00 (to match cash)

7704 / P530161-100208 / Roadway Improvements - I70/71 South Freeway Phase 4E (Voted Carryover) / \$244,999.00 / (\$244,999.00) / \$0.00

7704 / P530161-100158 / Roadway Improvements - Livingston Avenue Phase A - Front Street to High Street (Voted 2019 SIT Supported) / \$3,100,000.00 / (\$3,100,000.00) / \$0.00

7704 / P530161-100207 / Roadway Improvements - I70/71 South and East Freeway (Voted Carryover) / \$5,325,315.00 / \$244,999.00 / \$5,570,314.00

7704 / P530161-100207 / Roadway Improvements - I70/71 South and East Freeway (Voted 2019 SIT Supported) / \$0.00 / \$3,100,000.00 / \$3,100,00.00

7766 / P530161-100097 / Roadway Improvements - I70/71 East Interchange - Phase 2C (Street & Highway Imp

Carryover) / \$392,933.00 / (\$392,933.00) / \$0.00

7766 / P530161-100207 / Roadway Improvements - I70/71 South and East Freeway (Street & Highway Imp Carryover) / \$0.00 / \$392,933.00 / \$392,933.00

**SECTION 2.** That the Director of Public Service be and hereby is authorized to contribute funds to the Ohio Department of Transportation and/or to pay still to be determined utility companies, or companies contracted by utility companies, for construction costs and utility relocation costs related to the Roadway Improvements - I-70/71 South and East Freeways project.

**SECTION 3.** That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ended December 31, 2022, the sum of \$369,987.62 is appropriated in Fund 7766 (Streets and Highways Non-Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-100207 (Roadway Improvements - I-70/71 South and East Freeway), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the expenditure of \$3,394,998.64, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Division of Design and Construction), Project P530161-100207 (Roadway Improvements - I-70/71 South and East Freeway), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the expenditure of \$392,932.01, or so much thereof as may be needed, is hereby authorized in Fund 7766 (Streets and Highways Non Bond Fund), Dept-Div 5912 (Division of Design and Construction), Project P530161-100207 (Roadway Improvements - I-70/71 South and East Freeway), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

**SECTION 6.** That this ordinance is contingent upon receipt of the 2021 Capital Improvement Budget bond sale funds.

**SECTION 7.** 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 8.** 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 9.** 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 10.** 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.