



## Legislation Text

**File #:** 1763-2022, **Version:** 1

**BACKGROUND:** This legislation authorizes the Director of the Department of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) with The Ohio State University for the Clinton Sewer District Number 3 Trunk Sewer Siphon Upgrade, CIP 650902-100000, pursuant to Section 186 of the Columbus City Charter.

This project is necessary to support the OSU West Campus mixed-use redevelopment project that incorporates approximately 210 acres of land generally bounded by Lane Avenue to the north, Kinnear Road to the south, Kenny Road to the east, and Northstar Avenue to the west. This project will eliminate a bottleneck along the Clinton Sewer District #3 Trunk Sewer under the Olentangy River by providing additional capacity to support the anticipated flows collected by the new sewers that will be constructed to serve the West Campus tributary area. Sizing of the sewer also incorporated projected flows for the entire tributary area and will maintain compliance with allowable activations upstream of the siphon at Designed Sewer Relief (DSR) 873 on the Olentangy River.

This project consists of adding approximately 600 lf of 36" diameter sewer barrel to the existing Clinton No. 3 inverted siphon beneath the Olentangy River at Woody Hayes Drive on the Ohio State University campus. This includes adding an additional junction chamber at the upstream and downstream end of the proposed sewer and two additional manholes. The project will be constructed using open cut methods. Temporary causeways spanning no more than half the channel width at a time will be needed to facilitate construction. A portion of the project is within an environmental covenant area. Within this area the surface will be restored and revegetated as close as possible to pre-project conditions.

Upon passage of this Ordinance, the City of Columbus will agree to pay a guaranteed maximum reimbursement of \$4,007,850.00 to The Ohio State University for the Clinton Sewer District Number 3 Trunk Sewer Siphon Upgrade, CIP 650902-100000. This project will be constructed under a Guaranteed Maximum Reimbursement Agreement with The Ohio State University. The sewer will be constructed by OSU under a Construction Manager at Risk procurement model as allowed under Chapter 153 of the Ohio Revised Code, with reimbursement to be paid by the City of Columbus.

The project straddles the border of community planning areas 9 - West Olentangy and 13 - Near North/University.

**EMERGENCY DESIGNATION:** **Is requested** at this time in order to meet project milestones and due dates. This project requires work within the Olentangy River. Seasonal variations in water levels limit the timing of when construction can occur. Limited availability of construction materials is expected to lengthen the time window between project approval and beginning of construction. The non-emergency approval process would likely result in missing the available seasonal window in 2022 causing significant project delays. This project is on the critical path of OSU's Cannon Drive Phase II improvements. Delays for this project will have significant cascading effects for other components of the Phase II improvements.

**PROJECT TIMELINE:** The work under this contract shall be completed in a manner acceptable to the City within 120 calendar days after the date of the Notice to Proceed. Contract work is expected to begin in the Summer of 2022 and be completed before the end of the 2022 calendar year.

**CONTRACT COMPLIANCE NO:** 31-6025986 | non-profit organization | MAJ | Vendor #: 006163

**ECONOMIC IMPACT:** This project will support the OSU West Campus mixed-use redevelopment project that incorporates approximately 210 acres of land.

**FISCAL IMPACT:** This ordinance requires the transfer of \$4,007,850.00 within the Sanitary General Obligation Bond

Fund 6109 and amends the 2021 Capital Improvement Budget to align budget authority.

To authorize the Director of the Department of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) with The Ohio State University for the Clinton Sewer District Number 3 Trunk Sewer Siphon Upgrade Project for the Division of Sewerage and Drainage; to amend the 2021 Capital Improvement Budget; to authorize the transfer within and expenditure of up to \$4,007,850.00 from the Sanitary General Obligation Bond Fund; and to declare an emergency. (\$4,007,850.00)

**WHEREAS**, it is necessary for the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement agreement with The Ohio State University for the Clinton Sewer District Number 3 Trunk Sewer Siphon Upgrade, CIP 650902-100000; and

**WHEREAS**, this project consists of adding approximately 600 lf of 36" diameter sewer barrel to the existing Clinton No. 3 inverted siphon beneath the Olentangy River at Woody Hayes Drive on the Ohio State University campus; and

**WHEREAS**, the Department of Public Utilities will pay up to a guaranteed maximum reimbursement amount of \$4,007,850.00; and

**WHEREAS**, it is necessary to amend the 2021 Capital Improvement Budget; and

**WHEREAS**, it is necessary to authorize a transfer within and an expenditure of up to \$4,007,850.00 from the Sanitary General Obligation Bond Fund 6109; and

**WHEREAS**, an emergency exists in the usual daily operations of the Department of Public Utilities in that it is immediately necessary to authorize the Director to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) with The Ohio State University for the Clinton Sewer District Number 3 Trunk Sewer Siphon Upgrade at the earliest practical date in order to meet project milestones and due dates for the preservation of 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 Utilities is hereby authorized to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) with The Ohio State University at 190 N. Oval Mall Columbus, Ohio 43210, pursuant to Section 186 of the Columbus City Charter, for the construction of for the Clinton Sewer District Number 3 Trunk Sewer Siphon Upgrade, CIP 650902-100000 for the Division of Sewerage and Drainage.

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$4,007,850.00 within the Sanitary Sewer General Obligation Bond Fund 6109, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the 2021 Capital Improvement Budget is hereby amended per the account codes in the attachment to this ordinance.

**SECTION 4.** That the Director of Public Utilities is hereby authorized to expend up to \$4,007,850.00 from the Sanitary Sewer General Obligation Bond Fund 6109 per the account codes in the attachment to this ordinance.

**SECTION 5.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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 no longer required for said project; except that no transfer shall be made from a project account by monies from more than one source.

**SECTION 6.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 7.** 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 8.** 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 9.** 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 10.** That for the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is 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 (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.