



Legislation Details (With Text)

File #: 0952-2017 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 4/3/2017 **In control:** Economic Development Committee
On agenda: 5/1/2017 **Final action:** 5/4/2017

Title: To amend the 2016 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Development Taxable Bonds Fund; to authorize the Director of the Department of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC; to authorize the expenditure of four hundred thousand dollars (\$400,000.00) within the Development Taxable Bonds Fund; and to declare an emergency.

Sponsors:

Indexes:

Code sections:

Attachments: 1. ORD0952-2017 TheGravityProject-Fiber DAX Strings

Date	Ver.	Action By	Action	Result
5/4/2017	1	CITY CLERK	Attest	
5/3/2017	1	MAYOR	Signed	
5/1/2017	1	COUNCIL PRESIDENT	Signed	
5/1/2017	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This legislation authorizes the Director of the Department of Public Service on behalf of the City of Columbus, Ohio (the “City”) to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC, an Ohio limited liability company, (hereinafter the “Development Team”). The Gravity Project, LLC, is an affiliate of Kaufman Development.

The Development Team shall relocate existing underground utilities out of the former right-of-way of Gay Street from May Avenue to Anson Street and of Anson Street from Broad Street to Gay Street that was transferred to the Development Team by Ordinance 0273-2017. The City agrees to reimburse the Development Team up to four hundred thousand dollars (\$400,000) to aid in the cost of the relocation.

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for The Gravity Project, LLC is 021278 with no expiration date.

3. FISCAL IMPACTS

Funds in the amount of four hundred thousand dollars (\$400,000.00) are available for this project in the Development Taxable Bonds Fund within the Department of Development. An amendment to the 2016 Capital Improvements fund is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

Emergency action is requested so that the project can continue without delay.

To amend the 2016 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Development Taxable Bonds Fund; to authorize the Director of the Department of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC; to authorize

the expenditure of four hundred thousand dollars (\$400,000.00) within the Development Taxable Bonds Fund; and to declare an emergency.

WHEREAS, the Development Team shall relocate existing underground utilities out of the transferred right-of-way of Gay Street from May Avenue to Anson Street and of Anson Street from Broad Street to Gay Street to combine the parcels at 462 West Broad Street and 500 West Broad Street and allow for the private development of the site; and

WHEREAS, the City agrees to reimburse the Development Team up to four hundred thousand dollars (\$400,000) to aid in the cost of the relocation; and

WHEREAS, this ordinance authorizes the Director of the Department of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC; and

WHEREAS, it is necessary to authorize an amendment to the 2016 Capital Improvements Budget for the purpose of providing sufficient spending 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 the Director to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC and to expend such funds to maintain the project schedule and meet community commitments; thereby immediately 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 the Department of Public Service be and is hereby authorized to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC whose address is 30 Warren Street Columbus, Ohio, 43215, for the relocation of underground utilities.

SECTION 2. That the 2016 Capital Improvements Budget authorized by Ordinance 0960-2016 be amended as follows to establish sufficient authority for this project:

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

7739 / 782004-100000 / Vacant Housing Demolition (VAP) / (Unvoted Carryover) \$530,099 / (\$400,000) / \$130,099

7739 / 441762-100000 / 500 W. Broad Fiber Relocation / \$0 / \$400,000 / \$400,000

SECTION 3. That the transfer of \$400,000.00, or so much thereof as may be needed, is hereby authorized between projects within Fund 7739 Development Taxable Bonds per the account codes in the attachment to this ordinance.

SECTION 4. That the expenditure of \$400,000.00 is hereby authorized in Fund 7739 Development Taxable Bonds in Object Class 06 Capital Outlay per the accounting codes in the attachment to 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 authorized to make any accounting changes to revise the funding source for all contracts or contract modifications associated with this ordinance.

SECTION 7. 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 8. 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.