



## Legislation Details (With Text)

**File #:** 1994-2018      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 7/4/2018      **In control:** Finance Committee

**On agenda:** 7/23/2018      **Final action:** 7/25/2018

**Title:** To amend the 2018 Capital Improvement Budget; to authorize the City Auditor to appropriate funds within the Special Income Tax Fund and the Waggoner Road TIF Capital Fund; to authorize the transfer of funds between projects within the Waggoner Road TIF Capital Fund; to authorize the transfer of funds between the Special Income Tax Fund and the Safety Voted Bond Fund; to authorize the transfer of funds between projects within the Safety Voted Bond Fund; to authorize the Director of Finance and Management to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for construction of Fire Station 35; to authorize the expenditure of \$7,073,000.00 from the Safety Voted Bond Fund; to authorize the expenditure of \$3,500,000.00 from the Waggoner TIF Capital Fund; and to declare an emergency. (\$10,573,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 1994-2018

Date	Ver.	Action By	Action	Result
7/25/2018	1	CITY CLERK	Attest	
7/24/2018	1	ACTING MAYOR	Signed	
7/23/2018	1	COUNCIL PRESIDENT	Signed	
7/23/2018	1	Columbus City Council	Approved	Pass

**BACKGROUND:** This ordinance authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for the construction of Fire Station No. 35 at 711 North Waggoner Road. The ordinance authorizes a contract for the construction of a LEED-certified 26,750 square foot building. The new fire station will allow the Division of Fire to better serve the Far East Columbus community and includes additional health safety measurers for first responders. The expected opening of this new Fire Station is the third quarter of 2020.

Formal bids were solicited and the City received one responsive bidder on June 20, 2018 as follows (0 FBE, 0 MBE):

Elford, Inc.      \$10,573,000.00

It should be noted that Palmetto Construction Services, LLC submitted a bid response. However this response was deemed non-responsive as Palmetto failed to identify the percentage of work that would be completed by their subcontractors. Since this information is considered a required element of the base bid, Palmetto was deemed non-responsive leaving Elford, Inc. as the only responsive bidder.

The Office of Construction Management therefore recommends the contract be awarded to the sole responsive bidder, Elford, Inc.

**Emergency action** is requested so that this project may begin as soon as practical during the 2018 construction season.

Elford, Inc. Contract Compliance No. 31-4371060, expiration October 25, 2019.

**Fiscal Impact:** This ordinance authorizes a total expenditure of \$10,573,000 in capital funds with Elford Inc., for the construction of Fire Station 35 on Waggoner Road. Public Safety funding for this project is budgeted within the 2018 Capital Improvement Budget, which has been approved by Council under Ordinance 1010-2018. Some of these funds will not be available to Public Safety until the proceeds of the 2018 bond sale are available later this year. Therefore, it is necessary to certify funds in the amount of \$3,316,180.43 against the Special Income Tax Fund. The balance of the funding is available in the Safety Voted Bond Fund and the Waggoner Road TIF Capital Fund. It is also necessary to amend the 2018 Capital Improvement Budget and transfer funds between projects to establish sufficient cash in the proper project.

To amend the 2018 Capital Improvement Budget; to authorize the City Auditor to appropriate funds within the Special Income Tax Fund and the Waggoner Road TIF Capital Fund; to authorize the transfer of funds between projects within the Waggoner Road TIF Capital Fund; to authorize the transfer of funds between the Special Income Tax Fund and the Safety Voted Bond Fund; to authorize the transfer of funds between projects within the Safety Voted Bond Fund; to authorize the Director of Finance and Management to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for construction of Fire Station 35; to authorize the expenditure of \$7,073,000.00 from the Safety Voted Bond Fund; to authorize the expenditure of \$3,500,000.00 from the Waggoner TIF Capital Fund; and to declare an emergency. (\$10,573,000.00)

**WHEREAS**, it is necessary to amend the 2018 Capital Improvement Budget to establish sufficient budget authority for the proper projects; and

**WHEREAS**, it is necessary to appropriate and transfer funds from the Waggoner Road TIF Fund to the Waggoner TIF Capital Fund to fund this project; and

**WHEREAS**, it is necessary to appropriate and transfer funds from the Special Income Tax Fund to fund this project; and

**WHEREAS**, the City will reimburse the Special Income Tax Fund; and

**WHEREAS**, this transfer should be considered as a temporary funding method; and

**WHEREAS**, the aggregated principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$3,316,180.43; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and

**WHEREAS**, the Office of Construction Management solicited formal competitive bids for the construction of Fire Station No. 35 at 711 Waggoner Road; and

**WHEREAS**, the Office of Construction Management recommends the bid award be made to the sole responsive bidder, Elford Inc.; and

**WHEREAS**, it is necessary to authorize the expenditure of \$7,073,000.00 from the Safety Voted Bond Fund; and

**WHEREAS**, it is necessary to authorize the expenditure of \$3,500,000.00 from the Waggoner Road TIF Fund; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Director of Finance and Management to enter into a contract with Elford, Inc. for construction of Fire Station 35 at 711 Waggoner Road, 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 2018 Capital Improvement Budget, authorized by Ordinance 1010-2018, be amended as follows to establish sufficient authority for this project:

Project Name: Fire Station #32 Fulton | Project ID Number: P340130-100000 | Current Authority: \$0 | Revised Authority: \$32,128 | Difference: \$32,128. Encumbrance Cancellation.

Project Name: Fire Station #32 Fulton | Project ID Number: P340130-100000 | Current Authority: \$32,128 | Revised Authority: \$0 | Difference: (\$32,128).

Project Name: Fire Station #36 | Project ID Number: P340154-100000 | Current Authority: \$49,545 | Revised Authority: \$0 | Difference: (\$49,545).

Project Name: Apparatus Replacement | Project ID Number: P340101-100000 | Current Authority: \$1 | Revised Authority: \$0 | Difference: (\$1).

Project Name: Fire Station #16 | Project ID Number: P340153-100000 | Current Authority: \$7,000,000 | Revised Authority: \$3,683,819 | Difference: (\$3,316,181). (voted 2016)

Project Name: Fire Station #35 | Project ID Number: P340131-100000 | Current Authority: \$3,675,147 | Revised Authority: \$3,756,820 | Difference: \$81,673

Project Name: Fire Station #35 | Project ID Number: P340131-100000 | Current Authority: \$0 | Revised Authority: \$3,316,181 | Difference: \$3,316,181

**SECTION 2.** That the transfer of \$81,672.57, or so much thereof as may be needed is hereby authorized within Fund 7701, Safety Voted Bond Fund in Object Class 06 - Capital Outlay per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of appropriation and cash in the amount of \$3,500,000, or so much thereof as may be needed is hereby authorized between Fund 4410 (Waggoner Road TIF) and Fund 7410 (Waggoner TIF Capital) per the account codes in the attachment to this ordinance

**SECTION 4.** 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 ending December 31, 2018, the sum of \$3,500,000 is appropriated in Fund 7410 (Waggoner TIF Capital), Dept-Div 3004 (Fire Division), Project P340131-100000 (Fire Station #35), in Object Class 10 (Transfer out operating) per the account codes in the attachment to this ordinance.

**SECTION 5.** 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, 2018, the sum of \$3,316,180.43 is appropriated in Fund 4430 (Special Income Tax), Dept-Div 2201 in Object Class 10 (Transfer Out Operating) and in Fund 7701 (Safety G.O. Bonds), Dept-Div 3004 (Fire Division), Project P340131-100000 (Fire Station

#35), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 6.** That the transfer of \$3,316,180.43 or so much thereof as may be needed, is hereby authorized from Fund 4430 (Special Income Tax), Dept-Div 2201 to Fund 7701 (Safety G.O. Bonds), Dept-Div 3004 per the account codes in the attachment to this ordinance.

**SECTION 7.** That upon obtaining other funds for this project for the Department of Public Service, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 6.

**SECTION 8.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$3,316,180.43 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**SECTION 9.** That the Finance and Management Director is hereby authorized to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for construction of Fire Station 35, 711 Waggoner Road.

**SECTION 10.** That the expenditure of \$7,073,000.00, or so much thereof that may be necessary in regard to the action authorized SECTION 9, is hereby authorized in the Safety Voted Bond Fund, Fund 7701 in Object Class - 06 Capital Outlay per the account codes in the attachment to this ordinance.

**SECTION 11.** That the expenditure of \$3,500,000.00, or so much thereof that may be necessary in regard to the action authorized SECTION 9, is hereby authorized in the Waggoner Road TIF Fund, Fund 7410 in Object Class - 06 Capital Outlay per the account codes in the attachment to this ordinance.

**SECTION 12.** That the monies in the foregoing sections shall be paid upon order of the Director of Finance and Management, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 13.** 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 14.** 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 15.** 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 16.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared 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.