



## Legislation Details (With Text)

**File #:** 1367-2024      **Version:** 1

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

**File created:** 5/7/2024      **In control:** Neighborhoods, Recreation, & Parks Committee

**On agenda:** 7/15/2024      **Final action:** 7/18/2024

**Title:** To authorize the Director of Recreation and Parks to enter into a Guaranteed Maximum Reimbursement Agreement with Nationwide Realty Investors, LTD. for the Sensenbrenner Park Plaza Improvements Project; to waive the competitive bidding provisions of Columbus City Code; to authorize the transfer of \$300,992.00 within the Recreation and Parks Voted Bond Fund; to authorize the amendment of the 2023 Capital Improvements Budget; and to authorize the expenditure of \$600,992.00 from the Recreation and Parks Voted Bond Fund. (\$600,992.00)

### Sponsors:

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### Code sections:

**Attachments:** 1. Bid Waiver Form - Sensenbrenner Park Renovation, 2. Legislation - 2793-2022 Amendment - Sensenbrenner Park Plaza Improvements - FINAL - ATTACHMENT.pdf

Date	Ver.	Action By	Action	Result
7/18/2024	1	CITY CLERK	Attest	
7/17/2024	1	ACTING MAYOR	Signed	
7/15/2024	1	COUNCIL PRESIDENT	Signed	
7/15/2024	1	Columbus City Council	Approved	Pass
7/1/2024	1	Columbus City Council	Read for the First Time	

**Background:** This ordinance amends ordinance 2793-2022. There has been a change in direction for the project to be performed as the fountain located within Sensenbrenner Park is not able to be renovated due to more significant deterioration than originally known. As a result, the project will now be known as Sensenbrenner Park Plaza Improvements instead of Sensenbrenner Fountain Renovation. Also, the Director of Recreation and Parks will enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) with Nationwide Realty Investors, LTD. (NRI) instead of the Design and Construction Agreement authorized in 2793-2022. Lastly, the amount of the agreement with NRI will be \$600,992.00, up \$992.00 from the \$600,000.00 noted in 2793-2022.

The Columbus Recreation and Parks Department (CRPD) has owned Sensenbrenner Park since 1974 and it has since developed into a ‘pocket park’ for those working, playing, and living in the downtown area. The park was named after the late M.E. “Jack” Sensenbrenner, a former Mayor of Columbus. The park underwent minor renovations in 1998, 2009, and in 2011. This ordinance will authorize the Recreation and Parks Department to enter into an agreement with NRI for repurposing this fountain space and making other needed renovations to the park plaza. It has been determined that it will not be feasible to keep the fountain in operation as the underground infrastructure is in need of replacement and the associated costs are exorbitant. These replacement costs associated with the significantly deteriorated existing fountain, along with the annual operating costs of a renovated fountain, make it no longer feasible to keep in operation.

The Guaranteed Maximum Reimbursement Agreement (GMRA) will focus on project objectives, construction process, NRI administration of the project, and project contributions. The partnership with NRI has been long standing, including previous agreements in 1994 and 2015. This project is a continuation in demonstrating the partnership breadth and the overall benefits that the partnership has to the entire community. Without NRI working to identify contractors and

manage this project, the renovations would not be feasible at this time, due to CRPD's project capacity. The project will expand the partnership with NRI, providing all contract and construction management for the project at no charge. In addition to managing the project, NRI will initially pay all costs up to \$600,992.00. Reimbursement amounts will be adjusted to match project hard costs. As part of the agreement, the City's cost for the Sensenbrenner Fountain Renovations Project will be to reimburse NRI a not to exceed amount of \$600,992.00 and this future contribution is being authorized by this ordinance. The reimbursement to NRI will be reimbursed in two installments. The first reimbursement is projected to be in the fall of 2024 and the remaining balance is projected to be in the fall of 2025.

**Principal Parties:**

Nationwide Realty Investors, LTD.  
375 North Front Street, Suite 200  
Columbus, Ohio 43215  
Nathan Wymer

**Benefits to the Public:** The project will provide an improved park plaza for people to enjoy. Sitting, meditating, yoga, walking, running, and passive uses of parks provide highly recognized year-round benefits to urban lifestyles.

**Community Input/Issues:** Sensenbrenner Park is in the heart of the downtown area and provides seating areas for the community.

**Area(s) Affected:** Downtown (55)

**Master Plan Relation:** This project will support the Recreation and Parks Master Plan by helping to ensure that parks remain safe, updated, and user friendly.

**Fiscal Impact:** \$600,992.20 is budgeted and available from within the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this agreement.

To authorize the Director of Recreation and Parks to enter into a Guaranteed Maximum Reimbursement Agreement with Nationwide Realty Investors, LTD. for the Sensenbrenner Park Plaza Improvements Project; to waive the competitive bidding provisions of Columbus City Code; to authorize the transfer of \$300,992.00 within the Recreation and Parks Voted Bond Fund; to authorize the amendment of the 2023 Capital Improvements Budget; and to authorize the expenditure of \$600,992.00 from the Recreation and Parks Voted Bond Fund. (\$600,992.00)

**WHEREAS**, it is necessary to authorize the Director of the Recreation and Parks to enter into a Guaranteed Maximum Reimbursement Agreement with the Nationwide Realty Investors, LTD. for the Sensenbrenner Park Plaza Improvements Project; and

**WHEREAS**, without NRI working to identify contractors and manage this project, the renovations would not be feasible at this time, therefore it is in the best interest of the City of Columbus to waive the competitive bidding provisions of Columbus City Code Chapter 329; and

**WHEREAS**, it is necessary to authorize the transfer of \$300,992.00 within the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS**, it is necessary to authorize the amendment of the 2023 Capital Improvements Budget Ordinance 1711-2023 in order to provide sufficient budget authority for this and future projects; and

**WHEREAS**, it is necessary to authorize the expenditure of \$600,992.00 from the Recreation and Parks Voted Bond Fund 7702; and

**WHEREAS**, it has become necessary in the usual daily operations of the Recreation and Parks Department in that it is necessary to authorize the Director to enter into this agreement, all for the preservation of the public health, peace, property, safety, and welfare and, **NOW, THEREFORE**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of Recreation and Parks be and is hereby authorized to enter into a Guaranteed Maximum Reimbursement Agreement with Nationwide Realty Investors, LTD. for the Sensenbrenner Park Plaza Improvements Project. The maximum reimbursement amount is \$600,992.00.

**SECTION 2.** That this Council finds it in the best interest of the City of Columbus to waive the competitive bidding provisions of Columbus City Code Chapter 329.

**SECTION 3.** That the Recreation and Parks Department does agree to obligate the funds required to satisfactorily complete the proposed project and reimburse Nationwide Realty Investors, LTD. for the Sensenbrenner Park Plaza Improvements Project.

**SECTION 4.** That the transfer of \$300,992.00 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Bond Fund 7702 per the account codes in the attachment to this ordinance.

**SECTION 5.** That the 2023 Capital Improvements Budget Ordinance 1711-2023 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

Fund / Project / Project Name / Current Revised Authority / Current Remaining Authority / Change / Amended Revised Authority / Amended Remaining Authority

Fund 7702 / P511008-202401 / Roof and Building Envelope Program 2023-2024 (Voted 2022 SIT Supported) / \$1,797,000 / \$337,000 / (\$300,992) / \$1,496,000 / \$36,008

Fund 7702 / P517005-100000 / Sensenbrenner Park Plaza Improvements (Voted 2022 SIT Supported) / \$300,000 / \$300,000 / \$300,992 / \$600,992 / \$600,992

**SECTION 6.** For the purpose stated in Section 1, the expenditure of \$600,992.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachments to this ordinance.

**SECTION 7.** That this ordinance shall be take effect and be in force from and after the earliest period allowed by law.