



## Legislation Details (With Text)

**File #:** 1744-2005      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 10/7/2005      **In control:** Administration Committee  
**On agenda:** 10/24/2005      **Final action:** 10/26/2005

**Title:** To authorize the appropriation and transfer of \$237,455.00 from the Special Income Tax Fund to the Voted 1999 and 2004 Parks and Recreation Bond Fund; to authorize the Director of Recreation & Parks to enter into a guaranteed maximum cost contract with M& D Blacktop for professional and construction services relating to the Columbus Building Safe Playgrounds & Neighborhoods Program pursuant to Section 186 of the Columbus City Charter; to authorize the expenditure of \$237,455.00 from the Voted 1999 and 2004 Parks and Recreation Bond Fund; and to declare an emergency. (\$237,455.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/26/2005	1	ACTING CITY CLERK	Attest	
10/25/2005	1	MAYOR	Signed	
10/24/2005	1	Columbus City Council	Approved	Pass
10/24/2005	1	COUNCIL PRESIDENT	Signed	
10/17/2005	1	Rec & Parks Drafter	Sent to Clerk's Office for Council	
10/14/2005	1	CITY AUDITOR	Reviewed and Approved	
10/14/2005	1	Rec & Parks Drafter	Sent for Approval	
10/14/2005	1	CITY ATTORNEY	Reviewed and Approved	
10/13/2005	1	Finance Reviewer	Reviewed and Approved	
10/13/2005	1	FINANCE DIRECTOR	Reviewed and Approved	
10/13/2005	1	Rec & Parks Drafter	Sent for Approval	
10/13/2005	1	Rec & Parks Drafter	Sent for Approval	
10/13/2005	1	Auditor Reviewer	Reviewed and Approved	
10/12/2005	1	Rec & Parks Drafter	Sent for Approval	
10/11/2005	1	Rec & Parks Drafter	Sent for Approval	
10/11/2005	1	REC & PARKS DIRECTOR	Reviewed and Approved	
10/11/2005	1	Rec & Parks Drafter	Sent for Approval	
10/11/2005	1	EBOCO Reviewer	Reviewed and Approved	
10/11/2005	1	ODI DIRECTOR	Reviewed and Approved	
10/11/2005	1	Rec & Parks Drafter	Sent for Approval	

10/7/2005

1

Rec & Parks Drafter

Sent for Approval

**Background:**

This ordinance will authorize the appropriation and transfer of \$237,455.00 from the Special Income Tax Fund No. 430 to the Voted 1999 and 2004 Parks and Recreation Bond Fund No. 702, and to authorize the Director of Recreation and Parks to enter into a guaranteed maximum cost contract with M & D Blacktop for professional and construction services for Playground Improvements.

This initiative is a partnership guided by City Council and led by Finance and Administration Committee Chair Kevin Boyce. Additional members include Mayor Coleman's Administration, Columbus Recreation & Parks, Columbus Public Schools, Columbus Children's Hospital and KidsOhio.org. In 2005, this initial phase is being kicked off with playgrounds redesigned and redeveloped at Northtowne Elementary School and Broadleigh Elementary School. This program is dedicated to ensuring that every playground offers students and families a safe environment that maximizes the social and educational benefits of outdoor play. This will be possible with the state of the art metal playground equipment and rubberized safety surfacing throughout.

Services include final design, removal of existing and supply and installation of playground equipment, safety surfacing, and site furnishings.

M & D Blacktop was selected for this project from proposals received from two (2) consulting firms . Both firms were interviewed and it was determined that M & D Blacktop's proposal and experience exceeded the other firm. M & D Blacktop was selected based on experience, availability, knowledge of project site, and master planning experience. Project includes final design, removal of existing and supply and installation of playground equipment, safety resurfacing and site furnishings.

The Contract Compliance Number for M & D Blacktop is #31-1131599.

A contingency amount of \$20,000.00 is being included in this project.

This ordinance is submitted as an emergency to allow design to be completed in time for project to be bid in fall 2005 and complete by 12/31/05.

**Fiscal Impact:**

The transfer of \$237,455.00 from the Special Income Tax Fund to the Voted 1999 and 2004 Parks and Recreation Bond Fund is a temporary measure until the City sells notes or bonds to fund these improvements.

\$237,455.00 is budgeted in the Voted 1999 and 2004 Parks and Recreation Bond Fund to meet the financial obligation of this project.

To authorize the appropriation and transfer of \$237,455.00 from the Special Income Tax Fund to the Voted 1999 and 2004 Parks and Recreation Bond Fund; to authorize the Director of Recreation & Parks to enter into a guaranteed maximum cost contract with M& D Blacktop for professional and construction services relating to the Columbus Building Safe Playgrounds & Neighborhoods Program pursuant to Section 186 of the Columbus City Charter; to authorize the expenditure of \$237,455.00 from the Voted 1999 and 2004 Parks and Recreation Bond Fund; and to declare an emergency. (\$237,455.00)

**WHEREAS**, proposals were received from two firms for professional services in conjunction with improvements at two playgrounds owned by the Columbus City School District in which the City intends to enter into a lease agreement in order to open use of said playgrounds and the accompanying improvements to the public when school is not in session; and

**WHEREAS**, Section 186 of the Columbus City Charter authorizes department directors to enter into contracts for public improvements with a guaranteed maximum cost with the approval of Columbus City Council; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund, and this transfer should be considered as a temporary funding method; and

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$237,455.00; and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately

necessary to appropriate said funds from the Special Income Tax Fund, to transfer said funds into the Voted 1999 and 2004 Parks and Recreation Bond Fund, and to enter into contract to allow design to be completed in time for project to be bid in fall 2005 and completed by 12/31/05; now, therefore

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

**SECTION 1.** That the Director of Recreation and Parks be and he is hereby authorized and directed to enter into contract with M & D Blacktop for professional and construction services in conjunction with the Columbus Building Safe Playgrounds and Neighborhoods Program, in accordance with plans and specifications on file in the Recreation and Parks Department.

**SECTION 2.** That this contract is a guaranteed maximum cost contract that is authorized pursuant to Section 186 of the Columbus City Charter.

**SECTION 3.** That from the unappropriated monies in the Special Income Tax Fund No. 430, 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, 2005, the sum of \$237,455.00 is appropriated to the City Auditor, Department No. 22-01, Object Level 3 - 5502, OCA Code 902023.

**SECTION 4.** That the City Auditor is hereby authorized to transfer said funds to the Voted 1999 and 2004 Parks and Recreation Bond Fund at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

**SECTION 5.** That the amount of \$237,455.00 is hereby appropriated to the Voted 1999 and 2004 Parks and Recreation Bond Fund 702, Dept. 51-01, Project No. 510017, Object Level 3 6621, and OCA Code 644526.

**SECTION 6.** That the expenditure of \$237,455.00, or so much thereof as may be necessary, be and is hereby authorized from the Voted 1999 and 2004 Parks and Recreation Bond Fund 702, Dept. 51-01, Project No. 510017, Object Level 3 6621, and OCA Code 644526, to pay the cost thereof.

**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; except that no transfer shall be so made from a project account funded by monies from more than one source.

**SECTION 8.** That upon obtaining other funds for this project the City Auditor is hereby authorized to repay the Special Income Tax Fund the amount transferred under Section 4, above; and said funds are hereby deemed appropriated for such purpose.

**SECTION 9.** That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of the funds transferred in Section 4, above.

**SECTION 10.** That the City intends that this ordinance constitutes an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations promulgated pursuant to the Internal Revenue Code of 1986, as amended.

**SECTION 11.** 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.