



## Legislation Details (With Text)

**File #:** 0986-2022      **Version:** 1

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

**File created:** 3/29/2022      **In control:** Public Utilities Committee

**On agenda:** 4/18/2022      **Final action:** 4/20/2022

**Title:** To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement with Kittle Property Group, Inc. for the Big Run/Hellbranch Sanitary Sewer Extension CIP# 650604-100000 for the Division of Sewerage and Drainage; to authorize the transfer within of up to \$1,201,717.18 and expenditure of up to \$1,877,256.90 from the Sanitary General Obligation Bond Fund; to amend the 2021 Capital Improvement Budget; and to declare an emergency. (\$1,877,256.90)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Funding Template, 2. 650604\_MAP, 3. Director's Legislation Information Sheet (650604)

Date	Ver.	Action By	Action	Result
4/20/2022	1	CITY CLERK	Attest	
4/19/2022	1	ACTING MAYOR	Signed	
4/18/2022	1	COUNCIL PRESIDENT	Signed	
4/18/2022	1	Columbus City Council	Approved	Pass

**BACKGROUND:** This legislation authorizes the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) with Kittle Property Group, Inc. for the Big Run/Hellbranch Sanitary Sewer Extension CIP# 650604-100000, pursuant to Section 186 of the Columbus City Charter. Work consists of the construction of approximately 3,000 lf of 18-inch sanitary sewer and other such work as may be necessary to complete the contract in accordance with the drawings (CC17267). The project is located along in the Westland planning area.

Upon passage of this Ordinance, the City of Columbus will agree to pay a guaranteed maximum reimbursement of \$1,877,256.90 to Kittle Property Group, Inc. for the Big Run/Hellbranch Sanitary Sewer Extension CIP# 650604-100000. The developer has agreed to construct the improvements at their cost and then obtain reimbursement from the City. Funding for the reimbursement is provided by the Department of Public Utilities. A guaranteed maximum cost reimbursement with Kittle Property Group, Inc. for the Big Run/Hellbranch Sanitary Sewer Extension CIP# 650604-100000 provides that they construct the public improvement on the City's behalf and that the project is publicly bid and subject to a reimbursement agreement with the City.

The project is located within the 52 - Westland Community.

**EMERGENCY DESIGNATION:** Is requested at this time.

**PROJECT TIMELINE:** The work under this contract shall be completed in a manner acceptable to the City within 180 calendar days after the date of the Notice to Proceed.

**CONTRACT COMPLIANCE NO:** Tax ID 26-0002273 | Exp.: 3/30/2024 | MAJ | DAX #041406

**ECONOMIC IMPACT:** This project will allow for increased development within the Westland area which will lead to an increased tax base and utility users. It will also provide sanitary sewer service to the area that is currently un-sewered thus allowing for future connections and an increased water quality.

**FISCAL IMPACT:** This ordinance requires the transfer within of up to \$1,201,717.18 and expenditure of up to \$1,877,256.90 from the Sanitary General Obligation Bond Fund 6109 and amends the 2021 Capital Improvement Budget to align budget authority.

To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement with Kittle Property Group, Inc. for the Big Run/Hellbranch Sanitary Sewer Extension CIP# 650604-100000 for the Division of Sewerage and Drainage; to authorize the transfer within of up to \$1,201,717.18 and expenditure of up to \$1,877,256.90 from the Sanitary General Obligation Bond Fund; to amend the 2021 Capital Improvement Budget; and to declare an emergency. (\$1,877,256.90)

**WHEREAS,** it is necessary for the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement agreement with Kittle Property Group, Inc. for the Big Run / Hellbranch Sanitary Sewer Extension CIP# 650604-100000; and

**WHEREAS,** the Department of Public Utilities will pay up to a guaranteed maximum reimbursement amount of \$1,877,256.90; and

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

**WHEREAS,** it is necessary to authorize a transfer within of up to \$1,201,717.18 and an expenditure of up to \$1,877,256.90 and from the Sanitary General Obligation Bond Fund 6109; and

**WHEREAS,** an emergency exists in the usual daily operation of the Department of Public Utilities and that it is immediately necessary to authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) with Kittle Property Group, Inc. for the Big Run/Hellbranch Sanitary Sewer Extension CIP# 650604-100000 in order to provide continuity to work that has already been performed and expedite completion of the study, for the immediate 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 Kittle Property Group, Inc., 310 East 96<sup>th</sup> Street, Suite 400, Indianapolis IN, 46240, pursuant to Section 186 of the Columbus City Charter, for the construction of for the for the Big Run/Hellbranch Sanitary Sewer Extension CIP# 650604-100000 for the Division of Sewerage and Drainage.

**SECTION 2.** That the City Auditor is hereby authorized to transfer up to \$1,201,717.18 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 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 \$1,877,256.90 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 reasons stated in the preamble hereto, which is hereby 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 days after passage if the Mayor neither approves nor vetoes the same