



## Legislation Details (With Text)

**File #:** 0286-2020      **Version:** 1

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

**File created:** 1/22/2020      **In control:** Public Utilities Committee

**On agenda:** 2/24/2020      **Final action:** 2/27/2020

**Title:** To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) with M/I Homes of Central Ohio, LLC for the Hoover Farms Subtrunk Sanitary Sewer Improvement Project for the Division of Sewerage and Drainage; to amend the 2019 Capital Improvement Budget; to authorize the transfer within and expenditure of up to \$3,690,440.00 from the Sanitary General Obligation Bond Fund; and to declare an emergency. (\$3,690,440.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 20191223 650016 CIP Map, 2. Ord. 0286-2020 Funding Template, 3. 20191223 650016 Director's Legislation Information Sheet

Date	Ver.	Action By	Action	Result
2/27/2020	1	CITY CLERK	Attest	
2/26/2020	1	MAYOR	Signed	
2/24/2020	1	COUNCIL PRESIDENT	Signed	
2/24/2020	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 M/I Homes of Central Ohio, LLC for the Hoover Farms Subtrunk Sanitary Sewer Improvement Project, CIP 650016-100000, pursuant to Section 186 of the Columbus City Charter. Work consists of the construction of approximately 3,000 linear feet of 18- to 24-inch sanitary sewer, which includes rock excavation, and other such work as may be necessary to complete the contract in accordance with the drawings (CC18669). The project will extend sanitary sewer service northwest from Lee Road toward East Walnut Street and will allow for further development within the corridor.

Upon passage of this Ordinance, the City of Columbus will agree to pay a guaranteed maximum reimbursement of \$3,690,440.00 to M/I Homes of Central Ohio, LLC for the Hoover Farms Subtrunk Sanitary Sewer Improvement Project, CIP 650016-100000. 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 M/I Homes of Central Ohio, LLC for the Hoover Farms Subtrunk Sanitary Sewer Improvement Project, CIP 650016-100000 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.

This project is within the Rocky Fork -Blacklick Community Planning Area #33.

**EMERGENCY DESIGNATION:** Is requested at this time in order to meet project milestones and due dates.

**PROJECT TIMELINE:** The work under this contract shall be completed in a manner acceptable to the City within 120 calendar days after the date of the Notice to Proceed.

CONTRACT COMPLIANCE NO: 31-1210837 | Exp. 11/21/2021 | MAJ | Vendor #: 004849

**ECONOMIC IMPACT:** This project will extend sanitary sewer service northwest from Lee Road toward Walnut Road and will allow for further development within the corridor.

**FISCAL IMPACT:** This ordinance requires the transfer of \$3,690,440.00 within the Sanitary General Obligation Bond Fund 6109 and amends the 2019 Capital Improvement Budget to align budget authority.,

To authorize the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) with M/I Homes of Central Ohio, LLC for the Hoover Farms Subtrunk Sanitary Sewer Improvement Project for the Division of Sewerage and Drainage; to amend the 2019 Capital Improvement Budget; to authorize the transfer within and expenditure of up to \$3,690,440.00 from the Sanitary General Obligation Bond Fund; and to declare an emergency. (\$3,690,440.00)

**WHEREAS,** it is necessary for the Director of Public Utilities to enter into a Guaranteed Maximum Reimbursement agreement with M/I Homes of Central Ohio, LLC for the Hoover Farms Subtrunk Sanitary Sewer Improvement Project, CIP 650016-100000; and

**WHEREAS,** this project consists of constructing approximately 3,000 linear feet of 18- to 24-inch sanitary sewer and will extend sanitary sewer service northwest from Lee Road toward East Walnut Street allowing for further development within the corridor; and

**WHEREAS,** the Department of Public Utilities will pay up to a guaranteed maximum reimbursement amount of \$3,690,440.00; and

**WHEREAS,** it is necessary to amend the 2019 Capital Improvement Budget; and

**WHEREAS,** it is necessary to authorize a transfer within and an expenditure of up to \$3,690,440.00 and from the Sanitary General Obligation Bond Fund 6109; and

**WHEREAS,** an emergency exists in the usual daily operations of the Department of Public Utilities in that it is immediately necessary to authorize the Director to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) with M/I Homes of Central Ohio, LLC for the Hoover Farms Sewer Subtrunk Improvements at the earliest practical date in order to meet project milestones and due dates for the 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 M/I Homes of Central Ohio, LLC, 3 Easton Oval, Suite 310, Columbus, Ohio 43219, pursuant to Section 186 of the Columbus City Charter, for the construction of for the Hoover Farms Subtrunk Sanitary Sewer Improvement Project, CIP 650016-100000 for the Division of Sewerage and Drainage.

**SECTION 2.** That the City Auditor is hereby authorized to transfer \$3,690,440.00 within the Sanitary Sewer General Obligation Bond Fund 6109, per the account codes in the attachment to this ordinance.

**SECTION 3.** That the 2019 Capital Improvement Budget is amended as follows:

<u>Fund</u>	<u>CIP #</u>	<u>Project Name</u>	<u>Current Authority</u>	<u>Revised Authority</u>	<u>Net Change</u>
6109	650724-100000	Lower Olentangy Tunnel	\$5,352,843	\$1,662,403	-\$3,690,440
6109	650016-100000	Hoover Farms Subtrunk	\$0	\$3,690,440	\$3,690,440

**SECTION 4.** That the Director of Public Utilities is hereby authorized to expend up to \$3,690,440.00 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 the reasons stated in the preamble hereto, which is 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 (10) days after passage if the Mayor neither approves nor vetoes this Ordinance.