



## Legislation Details (With Text)

**File #:** 0953-2017      **Version:** 1

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

**File created:** 4/3/2017      **In control:** Economic Development Committee

**On agenda:** 4/17/2017      **Final action:** 4/20/2017

**Title:** To amend the 2016 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Utilities to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC; to authorize the expenditure of five hundred thousand dollars (\$500,000.00) within the Streets and Highways G.O. Bonds Fund; and to declare an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0953-2017 TheGravityProject-Sewer DAX Strings

Date	Ver.	Action By	Action	Result
4/20/2017	1	CITY CLERK	Attest	
4/19/2017	1	MAYOR	Signed	
4/17/2017	1	COUNCIL PRESIDENT	Signed	
4/17/2017	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This legislation authorizes the Director of the Department of Public Utilities on behalf of the City of Columbus, Ohio (the “City”) to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC, an Ohio limited liability company, (hereinafter the “Development Team”). The Gravity Project, LLC, is an affiliate of Kaufman Development.

The Development Team shall abandon an existing sanitary sewer located within the limits of vacated Broderick Street between N. May Avenue and the CSX property, and the relocate it into Broad Street. The relocation includes construction of sanitary sewer and installation of four six-inch lateral to allow connection by the future private development north of Broad Street. The City agrees to reimburse the Development Team up to five hundred thousand dollars (\$500,000) to aid in the cost of the relocation.

### 2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for The Gravity Project, LLC is 021278 with no expiration date.

### 3. FISCAL IMPACTS

Funds in the amount of five hundred thousand dollars (\$500,000.00) are available for this project in the Streets and Highways G.O. Bonds Fund under the Department of Development. An amendment to the 2016 Capital Improvements fund is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

### 4. EMERGENCY JUSTIFICATION: Emergency action is requested so that the project can continue without delay.

To amend the 2016 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Utilities to

enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC; to authorize the expenditure of five hundred thousand dollars (\$500,000.00) within the Streets and Highways G.O. Bonds Fund; and to declare an emergency.

**WHEREAS**, The Gravity Project, LLC, aka the Development Team, shall relocate an existing combined sanitary sewer line into Broad Street to allow for the private development of the site; and

**WHEREAS**, the City agrees to reimburse the Development Team up to five hundred thousand dollars (\$500,000) to aid in the cost of the relocation; and

**WHEREAS**, it is necessary to authorize the Director of the Department of Public Utilities to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC; and

**WHEREAS**, it is necessary to authorize an amendment to the 2016 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Utilities in that it is immediately necessary to authorize the Director to enter into a Construction Guaranteed Maximum Reimbursement Agreement and authorize the expenditure of such funds to maintain the project schedule and meet community commitments; thereby immediately 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 Director of the Department of Public Utilities be and is hereby authorized to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC whose address is 30 Warren Street Columbus, Ohio, 43215, for the relocation of underground utilities; and

**SECTION 2.** That the 2016 Capital Improvements Budget authorized by Ordinance 0960-2016 be amended as follows to establish sufficient authority for this project:

**Fund / Project / Project Name / Current / Change /Amended**

7704 / 590415-100012 / Public Private Partnership (3P) Projects / (Councilmanic SIT Supported) \$3,319,409.00 / (\$500,000.00) / \$2,819,409.00

7704 / 441761-100000 / 500 W. Broad Sewer Relocation / \$0 / \$500,000.00 / \$500,000.00

**SECTION 3.** That the transfer of \$500,000.00, or so much thereof as may be needed, is hereby authorized between projects within Fund 7704 Streets and Highways G.O. Bond Fund per the account codes in the attachment to this ordinance.

**SECTION 4.** That the expenditure of \$500,000.00 is hereby authorized in Fund 7704 Streets and Highways G.O. Bond Fund in Object Class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 6.** 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 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.

**SECTION 8.** 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.