



Legislation Details (With Text)

File #: 1344-2018 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 5/3/2018 **In control:** Recreation & Parks Committee
On agenda: 5/21/2018 **Final action:** 5/24/2018
Title: To authorize the Director of Recreation and Parks to enter into a settlement agreement with Schooley Caldwell Associates for the Richards House Renovations project; to accept paid settlements in the amount of \$24,772.00 to the Recreation and Parks Permanent Improvement fund; and to declare an emergency. (\$24,772.00)

Sponsors:

Indexes:

Code sections:

Attachments: 1. Executed Agreement - Lashutka

Date	Ver.	Action By	Action	Result
5/24/2018	1	CITY CLERK	Attest	
5/23/2018	1	MAYOR	Signed	
5/21/2018	1	COUNCIL PRESIDENT	Signed	
5/21/2018	1	Columbus City Council	Approved	Pass

This legislation authorizes the Director of Recreation and Parks to execute a settlement agreement and mutual release with Schooley Caldwell Associates for the Richards House Renovations project.

Schooley Caldwell and City entered into contact on July 29, 2014 for design services for the Richards House Renovations.

Damages to the project occurred as a result of certain alleged mechanical insufficiencies as described in Exhibit A of settlement agreement.

The cost of the damages is \$24,772.00.

Based on the totality of the circumstances, and without any admission of liability or wrongdoing on the part of or on behalf of either party, the parties have determined to resolve and settle any and all claims, pursuant to the terms and conditions of settlement agreement.

\$24,772.00.00 will be deposited to the Recreation and Parks Permanent Improvement Fund 7747.

Fiscal Impact: Settlement funding received shall be deposited to Fund 7747.

Emergency Justification: Emergency action is requested in order to proceed with settlement agreement and release immediately for the City of Columbus to receive reimbursement for the repair cost.

To authorize the Director of Recreation and Parks to enter into a settlement agreement with Schooley Caldwell Associates for the Richards House Renovations project; to accept paid settlements in the amount of \$24,772.00 to the Recreation

and Parks Permanent Improvement fund; and to declare an emergency. (\$24,772.00)

WHEREAS, the Recreation and Parks Department has a need to enter into a settlement agreement with Schooley Caldwell Associates and accept the amount of \$24,772.00 from Schooley Caldwell for damages incurred during the Richards House Renovations; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to authorize the Director to enter into a settlement agreement and accept funds from Schooley Caldwell Associates in order to reimburse City of Columbus, for the public health, safety and welfare; **NOW, THEREFORE**

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

SECTION 1. That the Director of the Recreation and Parks Department be, and hereby is, authorized to execute a settlement agreement and mutual release with Schooley Caldwell Associates in the amount of \$24,772.00 as a result of the damages to the Richards House Renovation project.

SECTION 2. That the Director of the Recreation and Parks Department be and is hereby authorized to accept a settlement payment from Schooley Caldwell Associates in the amount of \$24,772.00 and deposit to the Unallocated Balance, Fund 7747, Project P747999-100000.

SECTION 3. 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 10 days after passage if the Mayor neither approves nor vetoes the same.