



## Legislation Details (With Text)

**File #:** 1476-2013      **Version:** 2

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

**File created:** 6/11/2013      **In control:** Public Service & Transportation Committee

**On agenda:** 7/15/2013      **Final action:** 7/18/2013

**Title:** To amend the 2013 Capital Improvement Budget; to authorize the City Auditor to transfer cash between projects within the same fund; to authorize the Directors of Development and of Public Service to enter into a Guaranteed Maximum Reimbursement Agreement professional services contract pursuant to Section 186 of the Columbus City Charter with EMH&T for up to \$400,000.00 to design public roadway improvements around the Parsons Avenue Southern Gateway; to waive competitive bidding requirements; to authorize the expenditure of \$400,000.00 from Fund 704 Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$400,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD1476-2013 Bid Waiver Form

Date	Ver.	Action By	Action	Result
7/18/2013	2	CITY CLERK	Attest	
7/16/2013	2	MAYOR	Signed	
7/15/2013	2	COUNCIL PRESIDENT	Signed	
7/15/2013	1	Columbus City Council	Amended as submitted to the Clerk	Pass
7/15/2013	1	Columbus City Council	Approved as Amended	Pass

**Background:**

**This ordinance authorizes the Director of Public Service enter into a contract with Evans, Mechwart, Hambleton and Tilton Inc. (EMH&T) for professional engineering services.** The City of Columbus currently owns property along Parsons Avenue bounded by E. Barthman, S. Washington, E. Innis Road and Parsons Avenue and bifurcated by Reeb Avenue, commonly referred to as **The Parsons Avenue Southern Gateway and is inclusive of the John R. Maloney Health Center.** Originally the location of Schottenstein department store, the City purchased the store site and surrounding properties upon its closure. The site has been cleared of all structures and overhead utilities obstructing redevelopment. Currently the John R. Maloney Health and Wellness Center is under construction on the southeast quadrant of the site and negotiations are underway for additional development on the remainder of the site.

As a complement to redevelopment of **The Parsons Avenue Southern Gateway**, the City desires to improve the public right-of-way **in this area.** ~~surrounding the overall site,~~ **The design and construction of the John R. Maloney Health Center is managed by the Department of Finance and Management. The architect of record is the Design Group. At the direction of the city, the Design Group had their subconsultant, EMH&T, provide some preliminary concepts and costs estimates for future development of the right-of-way of The Parsons Avenue Southern Gateway. EMH&T, subconsultant of Design Group that is the architect for the Health Center, produced preliminary concepts and cost estimates for improvements to Parsons, Barthman, Washington, Reeb and Innis through a modification to the contract. This allowed the City to examine potential streetscape concepts and costs to determine a concept to be advanced to design. EMH&T has since been providing services to advance the concept through the development of a detailed scope.**

**Because the Department of Public Service is responsible for maintenance, design, and construction of above ground public infrastructure in the right-of-way, the Departments of Development, Finance, and Public Service have determined that it is in the City's best interest to waive competitive bidding and enter into a contract with EMH&T for the purposes of providing the engineering and design services needed for the design of the work in the right-of-way.**

The estimated cost of design is \$400,000 and will be paid by the Development Department. The City of Columbus has committed to funding these off-site improvements for purposes of creating economic development opportunities. ~~The City requests a bid waiver in order to enlist EMH&T to continue with the design of the improvements, saving time and money.~~

EMH&T's Contract Compliance Number is 31-0685594 which expires on 9/22/2013.

**Waiver of Competitive Bidding:**

**A bid waiver is requested because EMH&T has already completed a full preliminary engineering study for this project. Contracting directly with EMH&T will be the most cost effective way to complete the design while meeting the project's timeline.**

**Fiscal Impact:** \$400,000.00 is available in the 2013 Capital Improvement Budget in Fund 704, Streets and Highways G.O. Bonds Fund.

**Emergency Justification:** Emergency action is requested in order to stay on schedule so construction of the streetscape can overlap the Health Center construction shortening the disruption to the community.

To amend the 2013 Capital Improvement Budget; to authorize the City Auditor to transfer cash between projects within the same fund; to authorize the Directors of ~~Development and of Public Service~~ to enter into a ~~Guaranteed Maximum Reimbursement Agreement~~ **professional services contract** pursuant to ~~Section 186 of the Columbus City Charter~~ with EMH&T for up to \$400,000.00 to design public roadway improvements around the Parsons Avenue Southern Gateway; to waive competitive bidding requirements; to authorize the expenditure of \$400,000.00 from Fund 704 Streets and Highways G.O. Bonds Fund; and to declare an emergency. (\$400,000.00)

**WHEREAS,** the City of Columbus currently owns the property commonly referred to as The Parsons Avenue Southern Gateway; and

**WHEREAS,** ~~Redevelopment of the site is moving forward with the first site under construction for~~ **being the** John R. Maloney Health and Wellness Center; and

**WHEREAS,** the remainder of the site has been cleared for redevelopment and negotiations are underway for additional users; and

**WHEREAS,** ~~the City has committed to funding improvements to the streets surrounding the redevelopment site,~~ **including, but not limited to,** Parsons, Barthman, Washington, Reeb and Innis; and

**WHEREAS,** ~~through a modification to a contract with the Health Center's architect~~ **at the direction of the City, the architect of record for the John R. Maloney Health Center, Design Group, a subconsultant of instructed EMH&T, to** produced potential streetscape concepts **for The Parsons Avenue Southern Gateway** so a final scope could be determined for design; and

**WHEREAS,** it is necessary for the City to start the design in order to stay on schedule for construction; and

**WHEREAS,** a bid waiver is requested to allow **the Director of Public Service to enter into a contract directly with**

EMH&T to continue with design of work in the right-of-way, thus saving time and money; and

**WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to enter into this contract and the expenditure of such funds to maintain the project schedule, meet community commitments, and shorten the disruption to the community; thereby immediately preserving the public health, peace, property, safety and welfare; now, therefore,**

~~WHEREAS, an emergency exists in the usual daily operation of the Department of Development~~**Public Service in that it is immediately necessary to authorize the agreement for design services, 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 2013 Capital Improvement Budget, authorized by Ordinance 0645-2013, be amended as follows to provide sufficient budget authority for this expenditure:

**Fund / Project No. / Project Name / C.I.B. Amount / Amended Amount / New C.I.B. Amount**

704 / 530801-100002 / Corporate Relocation Infrastructure / \$200,000 (carryover) / (\$200,000) / \$0

704 / 530801-100006 / Streetscape Improvements-Commercial Corridor / \$225,000 (carryover) / (\$200,000) / \$25,000

704 / 590415-100003 / Econ & Community Dev - Schottenstein / \$225,000 (carryover) / \$400,000 / \$625,000

704 / 590415-100003 Econ & Community Dev - Schottenstein / \$600,000 (new funding) / (\$400,000) / \$200,000

704 / 530801-100002 / Corporate Relocation Infrastructure / \$0 (new funding) / \$200,000 / \$200,000

704 / 530801-100006 / Streetscape Improvements-Commercial Corridor / \$575,000 (new funding) / \$200,000 / \$775,000

**Section 2.** That in order to have sufficient cash for this project the City Auditor is authorized to transfer cash between projects within the Streets and Highways G.O. Bonds Fund 704 as follows:

**Transfer from:**

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

704 / 530801-100002 / Corporate Relocation Infrastructure / 06-6631 / 748012 / \$200,000.00

704 / 530801-100006 / Streetscape Improvements-Commercial Corridor / 06-6631 / 748016 / \$200,000.00

**Transfer to:**

**Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount**

704 / 590415-100003 / Econ & Community Dev - Schottenstein / 06-6631 / 741503 / \$400,000.00

**Section 3.** That the Directors of ~~Development and Public Service~~ **are** hereby authorized to enter into a ~~Guaranteed Maximum Reimbursement Agreement~~ **professional services agreement** pursuant to ~~Section 186 of the Columbus City Charter~~ with Evans, Mechwart, Hambleton and Tilton, **5500 New Albany Road, Columbus, OH 43054**, (CC# 31-0685594, expires 9/22/2013) for up to \$400,000.00 for purposes of designing improvements to the public rights-of-way surrounding the Parsons Avenue Southern Gateway - Parsons, Barthman, Washington, Reeb and Innis.

**Section 4.** That the formal consultant selection process provisions of Chapter 329 of the City Code are hereby waived.

**Section 5.** That for the purpose stated in Section 3, the expenditure of up to \$400,000 from the Department of Public Service, Division 59-09, Fund No. 704, Project No. 590415-100003 Econ. & Community Dev - Schottenstein, OCA Code

741503, Object Level 06 - 6631 is hereby authorized.

**Section 6.** 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 7.** 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 8.** 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 administrating said project that the project has been completed and the monies are no longer required for said project.

**Section 9.** That for 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.