



## Legislation Details (With Text)

**File #:** 0150-2019      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 1/3/2019      **In control:** Public Service & Transportation Committee  
**On agenda:** 2/4/2019      **Final action:** 2/6/2019

**Title:** To authorize the Director of Public Service to modify an existing Contribution Agreement between the Department of Public Service and the Columbus State Community College Development Foundation relative to design of the Miscellaneous Economic Development - Creative Campus Phase 2 project; to authorize the expenditure of up to \$177,987.09 within the Streets and Highways Bond Fund; and to declare an emergency. (\$177,987.09)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Ordinance 0150-2019 Accounting Codes

Date	Ver.	Action By	Action	Result
2/6/2019	1	CITY CLERK	Attest	
2/5/2019	1	MAYOR	Signed	
2/4/2019	1	COUNCIL PRESIDENT	Signed	
2/4/2019	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This legislation authorizes the Director of Public Service to modify an existing Contribution Agreement with and the Columbus State Community College Development Foundation, Inc., relative to the Miscellaneous Economic Development - Creative Campus Phase 2 project.

The Miscellaneous Economic Development - Creative Campus Phase 2 project will upgrade the roadway, sidewalks, pedestrian safety and aesthetic elements within the City of Columbus right-of-way in the Creative Campus Area (Cleveland Avenue between Long Street and Mount Vernon Avenue). Cleveland Avenue improvements will consist of roadway reconstruction with lane reconfiguration and curb line relocations, addition of curb extensions defining on-street parking areas, wider sidewalks, new street trees and tree lawns, new street lighting, new mast arm traffic signals, relocation of all overhead utilities to underground systems, new storm water facilities, and traffic control changes as needed. The Mt. Vernon Avenue/Spring Street intersection will be improved to accommodate two-way operation on the portion of Mt. Vernon Avenue between Cleveland Avenue and Spring Street, including removal of Columbus street lighting, installing new mast arm traffic signals, and striping Mt. Vernon Avenue to provide a one-way to two-way conversion.

Ordinance 2896-2017 previously authorized the Director of Public Service to enter into a Design Guaranteed Maximum Reimbursement Agreement with the Columbus State Foundation for the aforementioned Project, which encompasses various improvements to Cleveland Avenue between Long Street and Mount Vernon Avenue, in connection with Columbus State Community College's new culinary school project.

The Department of Public Service subsequently determined that it would be more prudent to execute a Contribution Agreement relative to that effort, and Ordinance 0016-2018 amended the earlier legislation to facilitate the execution of said agreement between the parties, clarified that the signatory to that agreement would be the Columbus State Community College Development Foundation, Inc., and corrected the project name.

This legislation authorizes the encumbrance and expenditure of up to \$177,987.09 to support the performance of additional professional services necessary to the completion of the design phase of the Miscellaneous Economic Development - Creative Campus Phase 2 project. The design fees were unforeseen during the planning phase of the project and were required due to the complexity of the project and to meet the project construction schedule.

## **2. FISCAL IMPACT**

Funding in the amount of \$177,987.09 is available within the Streets and Highways Bond Fund, Fund 7704, Project P440104-100027 (Miscellaneous Economic Development - Creative Campus Phase 2) for this project expenditure.

## **3. EMERGENCY DESIGNATION**

Emergency action is requested to allow for the immediate execution of the requisite Contribution Agreement, which is necessary to facilitate the design of these improvements, in order to maintain the project schedule and to meet community commitments.

To authorize the Director of Public Service to modify an existing Contribution Agreement between the Department of Public Service and the Columbus State Community College Development Foundation relative to design of the Miscellaneous Economic Development - Creative Campus Phase 2 project; to authorize the expenditure of up to \$177,987.09 within the Streets and Highways Bond Fund; and to declare an emergency. (\$177,987.09)

**WHEREAS**, Ordinance 2896-2017 authorized the Director of Public Service to enter into a Design Guaranteed Maximum Reimbursement Agreement in an amount of up to \$350,000.00 with the Columbus State Foundation for costs associated with the design of various improvements to Cleveland Avenue between Long Street and Mount Vernon Avenue in connection with Columbus State Community College's new culinary school; and

**WHEREAS**, the Department of Public Service subsequently determined that it would be more prudent to execute a Contribution Agreement with Columbus State related to that effort; and

**WHEREAS**, Ordinance 0016-2018 amended the earlier legislation to correct erroneous references and to authorize the execution of a Contribution Agreement between the Department of Public Service and the Columbus State Community College Development Foundation, Inc., relative to the Miscellaneous Economic Development - Creative Campus Phase 2 project; and

**WHEREAS**, the Department of Public Service has agreed to contribute additional funding to support the performance of unforeseen professional services necessary to the completion of the design phase of the project; and

**WHEREAS**, this legislation authorizes the Director of Public Service to modify the existing Contribution Agreement for that purpose; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to modify an existing Contribution Agreement as soon as reasonably practicable in order to maintain the current project schedule and meet community commitments, thereby 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 Public Service be and is hereby authorized to modify an existing Contribution Agreement with the Columbus State Community College Development Foundation, Inc., relative to the design of the Miscellaneous Economic Development - Creative Campus Phase 2 project.

**SECTION 2.** That the expenditure of \$177,987.09, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Division of Design and Construction), Project P440104-100027 (Miscellaneous Economic Development - Creative Campus Phase 2), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 3.** 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 4.** 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 5.** 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 6.** 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 ten days after passage if the Mayor neither approves nor vetoes the same.