



## Legislation Details (With Text)

**File #:** 1919-2008      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 11/20/2008      **In control:** Finance & Economic Development Committee  
**On agenda:** 12/8/2008      **Final action:** 12/10/2008

**Title:**  
To authorize the Finance and Management Director to enter into contract on behalf of the Office of Construction Management with The Albert M. Higley Company for miscellaneous renovations and selective demolition at the Municipal Court Building, 375 South High; to authorize and direct the City Auditor to transfer \$599,348.02 from the Special Income Tax Fund to the Construction Management Capital Improvement Fund; to authorize the City Auditor to appropriate \$111,406.50 within the Construction Management Improvement Fund; to transfer \$804,692.71 between projects within the Construction Management Capital Improvement Fund; to amend the 2008 Capital Improvements Budget; and to authorize the expenditure of \$1,574,000.00 from the Construction Management Capital Improvement Fund. (\$1,574,000.00)

**Sponsors:** Kevin L. Boyce, Hearcel Craig

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
12/10/2008	1	CITY CLERK	Attest	
12/9/2008	1	MAYOR	Signed	
12/8/2008	1	Columbus City Council	Approved	Pass
12/8/2008	1	COUNCIL PRESIDENT	Signed	
12/1/2008	1	Columbus City Council	Read for the First Time	
11/21/2008	1	Auditor Reviewer	Reviewed and Approved	
11/21/2008	1	CITY AUDITOR	Reviewed and Approved	
11/21/2008	1	Finance Drafter	Sent for Approval	
11/21/2008	1	Finance Reviewer	Sent for Approval	
11/21/2008	1	EBOCO Reviewer	Sent for Approval	
11/21/2008	1	ODI DIRECTOR	Reviewed and Approved	
11/21/2008	1	Finance Reviewer	Sent for Approval	
11/21/2008	1	CITY ATTORNEY	Reviewed and Approved	
11/21/2008	1	Finance Reviewer	Sent to Clerk's Office for Council	
11/21/2008	1	Finance Drafter	Sent to Clerk's Office for Council	
11/20/2008	1	Finance Drafter	Sent for Approval	
11/20/2008	1	Finance Drafter	Sent for Approval	
11/20/2008	1	Finance Reviewer	Reviewed and Approved	

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11/20/2008	1	Finance Reviewer	Reviewed and Approved
11/20/2008	1	FINANCE DIRECTOR	Reviewed and Approved
11/20/2008	1	Finance Reviewer	Sent for Approval

**BACKGROUND:** This legislation authorizes the Finance and Management Director to enter into contract on behalf of the Office of Construction Management with The Albert M. Higley Company, for miscellaneous renovations and selective demolition at the Municipal Court Building, 375 South High Street. The work is to include, but is not limited to: 18<sup>th</sup> floor office and restroom renovations: plumbing renovations; backup power electric transfer switch replacement; HVAC renovation; and demolition of the offices on the 18<sup>th</sup> floor.

There is a mechanical room located on the 19<sup>th</sup> floor. The drain line in the mechanical room is in a state of disrepair. The drain line is leaking downward causing damage to the 18<sup>th</sup> floor. The automatic transfer switch has failed and is being operated manually, which is a safety hazard. The 18<sup>th</sup> floor demolition is necessary to create workspace for the consolidation of the Judges' security staff, the Columbus Police Department, and the bailiffs.

Formal bids were solicited and five companies submitted bids on August 29, 2008 as follows (0 MBE, 0 FBE, 0 MBR):

The Albert M. Higley Company	\$1,574,000.00
Fox Mechanical	\$1,585,141.00
The Quandel Group, Inc.	\$1,592,600.00
2K General Company	\$1,601,556.00
R.W. Setterlin	\$1,677,437.00

The Office of Construction Management recommends the bid be awarded to the most responsive and responsible bidder, The Albert M. Higley Company.

This ordinance also authorizes the transfer of \$599,348.02 from the Special Income Tax Fund to the Construction Management Capital Improvement Fund - Municipal Court Building Renovations. This ordinance also authorizes the appropriation of \$111,406.50 in the Construction Management Capital Improvement Fund and the transfer of \$804,692.71 between projects within the Construction Management Capital Improvement Fund and amends the Capital Improvements Budget, Ordinance No. 0690-2008.

The Albert M. Higley Company Contract Compliance #34-1405260 expiration date January 25, 2010.

**Fiscal Impact:** This project is funded in the 2008 Capital Improvement Budget. However, bonds have yet to be sold for the whole project, necessitating a certification of \$599,348.02 against the Special Income Tax Fund. The total cost of the contract authorized by this ordinance is \$1,574,000.00.

To authorize the Finance and Management Director to enter into contract on behalf of the Office of Construction Management with The Albert M. Higley Company for miscellaneous renovations and selective demolition at the Municipal Court Building, 375 South High; to authorize and direct the City Auditor to transfer \$599,348.02 from the Special Income Tax Fund to the Construction Management Capital Improvement Fund; to authorize the City Auditor to appropriate \$111,406.50 within the Construction Management Improvement Fund; to transfer \$804,692.71 between projects within the Construction Management Capital Improvement Fund; to amend the 2008 Capital Improvements Budget; and to authorize the expenditure of \$1,574,000.00 from the Construction Management Capital Improvement Fund. (\$1,574,000.00)

**WHEREAS,** it is necessary for miscellaneous renovations and selective demolition to occur at the Municipal Court Building, 375 South High; and

**WHEREAS,** formal bids were solicited for the miscellaneous renovations and selective demolition; and

**WHEREAS,** the Office of Construction Management recommends The Albert M. Higley Company, as the most responsive and responsible bidder; and

**WHEREAS,** it is necessary to transfer funds from the Special Income Tax Fund to fund this project; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

**WHEREAS**, this transfer should be considered as a temporary funding method; and

**WHEREAS**, the aggregate principal amount of obligations which the City will issue to finance this renovation is presently expected not to exceed \$599,348.02; and

**WHEREAS**, it is necessary to amend the 2008 Capital Improvements Budget and transfer funds between projects within the Capital Improvements Budget; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project").

**WHEREAS**, the Office of Construction Management recommends acceptance of the bid submitted by The Albert M. Higley Company, as the most responsive and responsible bid, now, therefore:

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

**SECTION 1.** That the Finance and Management Director is hereby authorized to enter into contract on behalf of the Office of Construction Management with The Albert M. Higley Company for the miscellaneous renovations and selective demolition at the Municipal Court Building, 375 South High Street.

**SECTION 2.** The sum of \$599,348.02 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2008 to the City Auditor, Department 22-01, Object Level One 10, OCA Code 902023, Object Level Three 5502.

**SECTION 3.** That the City Auditor is hereby authorized to transfer said funds to the Construction Management Capital Improvement Fund 733, at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

**SECTION 4.** That the amount of \$599,348.02 is hereby transferred and appropriated to the Office of Construction Management, 45-07, Construction Management Capital Improvement Fund, Fund 733, Municipal Court Building Renovations -570043, Object Level One 06, Object Level Three Code 6620, OCA Code 570043.

**SECTION 5.** That upon obtaining other funds for the miscellaneous renovations and selective demolition at the Municipal Court Building, 375 South High, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 2, above, and said funds are hereby deemed appropriated for such purpose.

**SECTION 6.** That the City Auditor is authorized to establish proper accounting project numbers and to make any accounting changes to revise the funding source for any contract or contract modification associated with the expenditure of funds transferred.

**SECTION 7.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$599,348.02 (the "Obligations").

The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of the Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**SECTION 8.** That the amount of \$111,406.50 is hereby appropriated to the Office of Construction Management, 45-07, Construction Management Capital Improvement Fund, Fund 733, Facility Renovation-570030, Object Level One 06, Object Level Three Code 6620, OCA Code 733000.

**SECTION 9.** That the City Auditor is hereby authorized and directed to transfer funds within the Construction Management Capital Improvement Fund as follows:

FROM:

Dept/Div: 45-50|Fund: 733|Project Number 570030|Project Name - Facility Renovation|OCA Code 733000 |Amount \$573,165.41

Dept/Div: 45-50|Fund: 733|Project Number 570032|Project Name - 1393 E. Broad Street Renovations|OCA Code 733000 |Amount \$67,097.48

Dept/Div: 45-50|Fund: 733|Project Number 570045|Project Name - North Market Improvements|OCA Code 733000 |Amount \$14,429.82

Dept/Div: 45-50|Fund: 733|Project Number 570046|Project Name - Neighborhood Health Center Renovation|OCA Code 733000 |Amount \$150,000.00

TO:

Dept/Div: 45-50|Fund: 733|Project Number 570043|Project Name - Municipal Court Building Renovation|OCA Code 733000|Amount \$804,692.71

**SECTION 10.** That the 2008 Capital Improvements Budget is hereby amended as follows:

**Office of Construction Management 45-50**

**Project No. | Project Name | Current Authority | Revised Authority | Difference**

570043-100000	Municipal Court Building Renovation (Unvoted Carryover)	\$217,352 \$1,022,044	\$804,692
570043-100000	Municipal Court Building Renovation (New Funding)	\$5,864,133 \$4,8420,089	- \$804,692
570030-100000	Facility Renovations (Unvoted Carryover)	\$931,688  \$358,523	- \$573,165
570030-100000	Facility Renovations (New Funding)	\$3,714,387  \$4,072,910	\$573,165
570032-100000	1393 E. Broad St. Renovations (Unvoted Carryover)	\$114,158   \$47,061	- \$67,097
570032-100000	1393 E. Broad St. Renovations (New Funding)	\$0   \$67,097	\$67,097
570045-100000	North Market Improvements (Unvoted Carryover)	\$249,930 \$235,500	- \$14,430
570045-100000	North Market Improvements (New Funding)	\$0 \$14,430	\$14,430
570046-100000	Neighborhood Health Center Renovation (Unvoted Carryover)	\$150,000  \$0	- \$150,000
570046-100000	Neighborhood Health Center Renovation (New Funding)	\$0  \$150,000	\$150,000

**SECTION 11.** All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

**SECTION 12.** That the expenditure of \$1,574,000.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized and approved as follows:

Division: 45-07  
Fund: 733  
OCA Code: 570043  
Object Level: 06  
Object Level 3: 6620  
Amount \$1,574,000.00

**SECTION 13.** That the City Auditor is authorized to make any accounting changes to revise the funding source for all contract or contract modifications associated with this ordinance.

**SECTION 14.** That this ordinance shall take effect and be in force from and after the earliest period allowed by law.