



## Legislation Details (With Text)

**File #:** 0678-2008      **Version:** 1

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

**File created:** 4/9/2008      **In control:** Utilities Committee

**On agenda:** 5/12/2008      **Final action:** 5/15/2008

**Title:** To authorize the Director of Public Utilities to enter into a guaranteed maximum cost agreement in accordance with Section 186 of the City Charter, with Royal Tallow Holdings, Ltd., for the construction of the Franklin-Main Interceptor Sewer Rehabilitation, Section 7 Project; and to authorize the expenditure of \$852,236.81 from the Sanitary Sewer Revenue Bonds Fund for the Division of Sewerage and Drainage. (\$852,236.81)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. ORD0678-2008 Map.pdf, 2. ORD0678-2008 Legislation Information.pdf

Date	Ver.	Action By	Action	Result
5/15/2008	1	CITY CLERK	Attest	
5/14/2008	1	MAYOR	Signed	
5/12/2008	1	Columbus City Council	Approved	Pass
5/12/2008	1	COUNCIL PRESIDENT	Signed	
5/5/2008	1	Columbus City Council	Read for the First Time	
4/24/2008	1	Utilities Drafter	Sent to Clerk's Office for Council	
4/23/2008	1	CITY ATTORNEY	Reviewed and Approved	
4/22/2008	1	ODI DIRECTOR	Reviewed and Approved	
4/22/2008	1	Utilities Drafter	Sent for Approval	
4/22/2008	1	Auditor Reviewer	Reviewed and Approved	
4/22/2008	1	CITY AUDITOR	Reviewed and Approved	
4/22/2008	1	Utilities Drafter	Sent for Approval	
4/21/2008	1	EBOCO Reviewer	Reviewed and Approved	
4/18/2008	1	Utilities Drafter	Sent for Approval	
4/17/2008	1	Utilities Reviewer	Sent for Approval	
4/17/2008	1	UTILITIES DIRECTOR	Reviewed and Approved	
4/17/2008	1	Utilities Drafter	Sent for Approval	
4/17/2008	1	Finance Reviewer	Reviewed and Approved	
4/17/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
4/16/2008	1	Utilities Drafter	Sent for Approval	
4/16/2008	1	Utilities Reviewer	Reviewed and Approved	

4/16/2008	1	Utilities Drafter	Sent for Approval
4/16/2008	1	Utilities Drafter	Sent for Approval

1. BACKGROUND:

This legislation authorizes the Director of Public Utilities to enter into a capital improvements agreement with Royal Tallow Holdings, Ltd., for the construction of the Franklin-Main Interceptor Rehabilitation, Section 7 Project.

Royal Tallow Holdings, Ltd., hereinafter referred to as the developer, has plans of constructing a single family and multi-family residential development to be known as Harrison Park that is located along the east bank of the Olentangy River, just south of Second Avenue, on land that they own or control. The City has intentions of rehabilitating approximately 1222 feet of a 36-inch diameter section of the Franklin-Main Interceptor Sewer between First and Second Avenue. However, the City's design and construction schedule are not fast enough for the proposed construction schedule of the developer's inner-city redevelopment. In order to avoid delaying the subject development and to avoid having the City disturb new and expensive land improvements, thereby incurring much higher construction costs, the developer has agreed to incorporate minor design changes and the construction of the subject capital improvements project into its development plans. The developer has further agreed to provide the construction plans and specifications; permanent easements for the Franklin-Main Interceptor, Section 7 Project; at no further cost to the City. In exchange for this, the City shall agree to reimburse the developer for documented construction and related costs that are associated with the subject capital improvements project, up to a maximum of \$852,236.81.

2. BID INFORMATION:

In accordance with Section 186 of the Columbus City Charter, this contract shall contain a guaranteed maximum cost and stipulate that the city shall pay within such maximum the cost of labor and materials to be paid to the developer. As a condition of the agreement the developer is required to comply with the competitive bidding procedures of Section 329 of the Columbus City Codes, "Procurement of Goods and Services; and with the Prevailing Wage Requirements of Chapter 4115 of the Ohio Revised Code.

3. FISCAL IMPACT:

There is sufficient authority and monies within the Sanitary Sewer Revenue Bonds Fund to cover this ordinances expenditures.

To authorize the Director of Public Utilities to enter into a guaranteed maximum cost agreement in accordance with Section 186 of the City Charter, with Royal Tallow Holdings, Ltd., for the construction of the Franklin-Main Interceptor Sewer Rehabilitation, Section 7 Project; and to authorize the expenditure of \$852,236.81 from the Sanitary Sewer Revenue Bonds Fund for the Division of Sewerage and Drainage. (\$852,236.81)

**WHEREAS**, Royal Tallow Holdings, Ltd., hereinafter called the developer, and the Division of Sewerage and Drainage, Department of Public Utilities, hereinafter referred to as the City are desirous of entering into a capital improvement project reimbursement agreement for the construction of the Franklin-Main Interceptor Rehabilitation, Section 7 Project; and

**WHEREAS**, the developer is the owner of or has the right to control approximately 10.2 acres of land along the east bank of the Olentangy River, south of Second Avenue in the Harrison West neighborhood, and intends to construct new single and multi-family residential development to be known as Harrison Park; and

**WHEREAS**, the Division of Sewerage and Drainage engineering staff have determined that it is in the City's best interest to enter into the subject agreement with Royal Tallow Holdings, Ltd, for purposes of constructing the Franklin-Main Interceptor Rehabilitation, Section 7 Project; and

**WHEREAS**, the Developer shall provide all professional engineering services and grant all necessary utility easements to the City, at no cost, across lands and improvements controlled by the Developer, in exchange for accelerating the construction schedule for the aforesaid capital improvements project; and

**WHEREAS**, it is necessary and advantageous for this City Council authorize the Director of Public Utilities to execute the subject agreement which will allow the Division to avoid considerable expense in the design and procurement of easements for the rehabilitation of the Franklin-Main Interceptor Rehabilitation, Section 7 Project, and in return the developer shall be authorized to immediately commence the rehabilitation of this vital sanitary infrastructure as a part of their overall redevelopment project, at the earliest practicable date; now, therefore,

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

**Section 1.** That the Director of Public Utilities be, and hereby is, authorized to enter into a contract, in accordance with the provisions

of Columbus City Charter Section 186, to reimburse Royal Tallow Holdings, Ltd., 1289 Grandview Ave., Columbus Ohio 43206, for the costs associated with the construction of the Franklin-Main Interceptor Rehabilitation, Section 7 Project, as shown on the detailed engineering Construction Drawing Nos. CC14746 on file with the Division of Sewerage and Drainage.

**Section 2.** That said capital improvements project reimbursement agreement shall stipulate that Royal Tallow Holdings, Ltd., agrees to comply with the competitive bidding procedures of Section 329 of the Columbus City Codes, "Procurement of Goods and Services", and with the Prevailing Wage Requirements of Chapter 4115 of the Ohio Revised Code.

**Section 3.** That the expenditure of \$852,236.81, or as much thereof as may be needed, be and the same hereby is authorized from the Sanitary Sewer Revenue Bonds Fund No. 665 | Division 60-05 | Project No. 650600 | Franklin-Main Interceptor Rehabilitation, Section 7 Project | OL1 06 | OL3 6630 | OCA Code 665600.

**Section 4.** That the City Auditor is hereby authorized and directed to transfer any unencumbered balance in the project account to the unallocated balance 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; except that no transfer shall be made from a project account by monies from more than one source.

**Section 5.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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