



Legislation Details (With Text)

File #: 1759-2014 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 7/15/2014 **In control:** Finance Committee
On agenda: 7/28/2014 **Final action:** 7/30/2014

Title: To authorize the Director of the Department of Finance and Management to enter into Guaranteed Maximum Reimbursement Agreement (GMRA) and a Facilities Operating Agreement with the Central Ohio Transit Authority (COTA) necessary for the construction of a Satellite CNG Fueling Facility at 1400 McKinley Avenue; to authorize the expenditure of up to \$3,700,000.00 from the Fleet Management Bond Fund. (\$3,700,000.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/30/2014	1	CITY CLERK	Attest	
7/29/2014	1	MAYOR	Signed	
7/28/2014	1	COUNCIL PRESIDENT	Signed	
7/28/2014	1	Columbus City Council	Read for the First Time	
7/28/2014	1	Columbus City Council	Approved	Pass

BACKGROUND: The purpose of this legislation is to authorize the Director of Finance and Management to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) and a Facilities Operating Agreement between the City of Columbus (“City”) and the Central Ohio Transit Authority (“COTA”) for the construction and operation of a Satellite CNG Fueling Facility (SFF) that will be located at 1400 McKinley Avenue. The Guaranteed Maximum Cost Reimbursement Agreement defines the plans and commitments of both parties relating to the construction of the SFF, while the Facilities Operating Agreement sets forth in detail the specific terms and conditions regarding the City’s use of the SFF, the formula for calculation of the City’s cost for fuel pumped, billing procedures, and COTA’s responsibilities for operation and maintenance of the SFF. The City and COTA will jointly construct the SFF on COTA’s property located at 1438 McKinley Avenue Columbus, Ohio 43222. COTA has agreed to provide fuel and infrastructure support to the SFF from its existing CNG fueling station located on COTA’s property at 1438 McKinley for use by City, and on a limited basis in the future, to the general public.

Under the terms of the GMRA, COTA will act as the general contractor for design and construction of the SFF. COTA will supervise the project construction and administration teams and execute the appropriate contracts authorizing the construction of the SFF with the City acting as the owner representative for the project. COTA will grant the City a perpetual non-exclusive easement providing the City rights to the use of the SFF and the City shall reimburse COTA all agreed upon cost related to the complete construction of the SFF.

Fiscal Impact: The City’s maximum cost under the GMRA is \$3,700,000.00 which has been budgeted in the 2014 Capital Improvement Budget and is available in the Fleet Management Bond Fund.

To authorize the Director of the Department of Finance and Management to enter into Guaranteed Maximum

Reimbursement Agreement (GMRA) and a Facilities Operating Agreement with the Central Ohio Transit Authority (COTA) necessary for the construction of a Satellite CNG Fueling Facility at 1400 McKinley Avenue; to authorize the expenditure of up to \$3,700,000.00 from the Fleet Management Bond Fund. (\$3,700,000.00)

WHEREAS, COTA has constructed a Compressed Natural Gas (“CNG”) fueling station on its property located at 1438 McKinley Avenue Columbus, Ohio 43222 to serve its fleet of vehicles; and

WHEREAS, the City has an identified a need to have a readily available CNG fueling location in the immediate Downtown and surrounding area to support its fleet of vehicles that provide critical services to the citizens of Columbus; and

WHEREAS, COTA has agreed to provide fuel from its existing CNG fueling station located on COTA’s property on McKinley Avenue to a Satellite CNG Fueling Facility (SFF) for use by City to support its fleet of vehicles, and on a limited basis in the future, to the general public; and

WHEREAS, the City has determined that it is in its best interest to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) and a Facilities Operating Agreement with COTA for the construction and operation of a Satellite CNG Fueling Facility (SFF) on COTA’s property located at 1400 McKinley Avenue; and

WHEREAS, per the terms of the GMRA, COTA shall oversee and supervise the design and construction of the SFF project, including hiring of Construction Manager(s), Construction Administration, Contractor(s), and other personnel necessary for the SFF construction project with the City acting as the Owner Representative for the project; and

WHEREAS, per the terms defined in the GMRA, in exchange for COTA granting a perpetual non-exclusive easement to the City providing the City rights to the use of the SFF, the CITY shall be responsible for reimbursing all agreed upon costs relating to the construction of a complete Satellite CNG Fueling Facility; and

WHEREAS, COTA and the City will also enter into a Facilities Operating Agreement setting forth, in detail, the specific terms and conditions regarding the City’s use of the SFF, the formula for calculation of the City’s cost of fuel, billing procedures, and COTA’s responsibilities for the operation and maintenance of the SFF; and now, therefore:

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

SECTION 1. That the Director of the Department of Finance and Management is hereby authorized and directed to enter into a Guaranteed Maximum Reimbursement Agreement (GMRA) and a Facilities Operating Agreement between the City of Columbus (“City”) and the Central Ohio Transit Authority (“COTA”) for the construction and operation of a Satellite CNG Fueling Facility (SFF) on COTA’s property located at 1400 McKinley Avenue.

SECTION 2. That the expenditure of up to \$3,700,000.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, be and is hereby authorized from the Fleet Management Bond Fund and is approved as follows:

Division: 45-05
Fund: 513-004
Project: 550006-100006
OCA Code: 530606
Object Level 1: 06
Object Level 3: 6604
Amount: \$3,700,000.00

SECTION 3. That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

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