



Legislation Details (With Text)

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Title: To authorize the Director of Public Service to modify the Contribution Agreement with MORSO Holding Co.; to authorize the expenditure of \$166,663.39 from the Streets and Highways Bond Fund; and to declare an emergency. (\$166,663.39)

Sponsors:

Indexes:

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Attachments:

Date	Ver.	Action By	Action	Result
9/30/2015	1	CITY CLERK	Attest	
9/29/2015	1	MAYOR	Signed	
9/28/2015	1	COUNCIL PRESIDENT	Signed	
9/28/2015	1	Columbus City Council	Approved	Pass

1. BACKGROUND

Ordinance No. 1739-2015 authorized the Director of Public Service to enter into agreement with MORSO Holding Co. and to accept a contribution of \$1,100,000.00 from MORSO Holding Co. to offset a portion of the costs of constructing the Roadway Improvements - Easton Square Place - Stelzer Road to Morse Crossing project (the "Contribution Agreement").

This ordinance seeks authorization for the Director of Public Service to modify the Contribution Agreement with MORSO Holding Co. to reduce the \$1,100,000.00 contribution by \$166,663.39 for a total contribution of \$933,336.61 toward the costs of constructing the project.

The city is reducing the \$1,100,000.00 contribution authorized by Ordinance 1739-2015 by \$166,663.39 to reflect MORSO Holding Co.'s upfront costs toward the project's design.

The Department of Development will contribute replacement funds in the amount of \$166,663.39 toward the project's construction costs.

2. FISCAL IMPACTS

Funds in the amount of \$166,663.39 are available for this project in the Streets and Highways G.O. Bond Fund within the Department of Public Service.

3. EMERGENCY DESIGNATION

The Department of Public Service is requesting emergency action be taken in order to allow the project to proceed immediately, thereby allowing the City and the Developer to maintain the project schedule and meet community commitments.

To authorize the Director of Public Service to modify the Contribution Agreement with MORSO Holding Co.; to

authorize the expenditure of \$166,663.39 from the Streets and Highways Bond Fund; and to declare an emergency. (\$166,663.39)

WHEREAS, Ordinance No. 1739-2015 authorized the Director of Public Service to enter into agreement with MORSO Holding Co. to accept a contribution of \$1,100,000.00 to offset a portion of the costs of constructing the Roadway Improvements - Easton Square Place - Stelzer Road to Morse Crossing project (the “Contribution Agreement”); and

WHEREAS, MORSO Holding Co. is paying \$166,663.39 in upfront costs for the design of the project; and

WHEREAS, MORSO Holding Co.’s \$1,100,000.00 contribution toward the project’s construction costs is being reduced to \$933,336.61 to reflect \$166,663.39 in costs incurred for the project’s design; and

WHEREAS, the Department of Development is committed to providing funds in the amount of \$166,663.39 to replace the reduction in MORSO Holding Co.’s contribution toward construction costs; and

WHEREAS, this ordinance authorizes the Director of Public Service to modify the Contribution Agreement with MORSO Holding Co. to reflect a total contribution of \$933,336.61 toward the costs to construct the Roadway Improvements - Easton Square Place - Stelzer Road to Morse Crossing project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize amending the aforementioned Contribution Agreement so as to maintain the current construction schedule, thereby immediately 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 the Department of Public Service be and hereby is authorized to amend the total dollar amount of the Contribution Agreement with MORSO Holding Co., Three Limited Parkway, Columbus, Ohio 43230, by reducing the contribution amount by \$166,663.39, for a total contribution amount of \$933,336.61, for the construction of the Roadway Improvements - Easton Square Place - Stelzer Road to Morse Crossing project.

SECTION 2. That for the purpose of paying the cost to amend this contract, the sum of up to \$166,663.39, or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways Bond Fund as follows:

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

704 / 440104-100016 / Roadway Improvements - Easton / 06-6631 / 710416 / \$166,663.39

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.