



Legislation Details (With Text)

File #: 0840-2010 **Version:** 1
Type: Ordinance **Status:** Passed
File created: 5/28/2010 **In control:** Judiciary And Court Administration Committee
On agenda: 6/21/2010 **Final action:** 6/23/2010

Title: To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for renovations (Phase II) at the Municipal Court Building, 375 South High Street; to authorize and direct the City Auditor to transfer \$2,389,926.62 from the Special Income Tax Fund to the Construction Management Improvement Fund; to authorize the City Auditor to appropriate \$2,476,071.80 within the Construction Management Capital Improvement Fund; to authorize the City Auditor to transfer cash within the Construction Management Capital Improvement Fund; to amend the 2010 Capital Improvements Budget; and to authorize the expenditure of \$2,476,071.80 from the Construction Management Capital Improvement Budget; and to declare an emergency. (\$2,476,071.80)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
6/23/2010	1	CITY CLERK	Attest	
6/22/2010	1	MAYOR	Signed	
6/21/2010	1	Columbus City Council	Approved	Pass
6/21/2010	1	COUNCIL PRESIDENT PRO-TEM	Signed	
6/10/2010	1	Auditor Reviewer	Reviewed and Approved	
6/10/2010	1	CITY AUDITOR	Reviewed and Approved	
6/10/2010	1	Finance Drafter	Sent for Approval	
6/10/2010	1	CITY ATTORNEY	Reviewed and Approved	
6/10/2010	1	Finance Drafter	Sent to Clerk's Office for Council	
6/9/2010	1	ODI DIRECTOR	Reviewed and Approved	
6/9/2010	1	Finance Drafter	Sent for Approval	
6/8/2010	1	EBOCO Reviewer	Sent for Approval	
6/7/2010	1	Finance Reviewer	Reviewed and Approved	
6/7/2010	1	Finance Drafter	Sent for Approval	
6/4/2010	1	FINANCE DIRECTOR	Reviewed and Approved	
6/4/2010	1	Finance Reviewer	Reviewed and Approved	
6/2/2010	1	Finance Reviewer	Reviewed and Approved	
6/1/2010	1	Finance Reviewer	Reviewed and Approved	
5/28/2010	1	Finance Reviewer	Reviewed and Disapproved	

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for renovations (Phase II) at the Municipal Court Building, 375 South High Street.

Ordinance No. 1919-2008 authorized Phase I renovations and improvements to the Municipal Court Building at 375 South High Street. Work included HVAC, plumbing, drainage, electrical renovations, gas line renovations, pilot restroom renovations (intended to establish a prototype for future restroom renovations) and selective demolition of offices and storage space on the 18th floor. Work is to be continued under Phase II of this project in order to create workspace for the consolidation of the Judges' security staff, the Columbus Police Department, and the bailiffs. Specifically work in Phase II will include the construction of office spaces, the installation of furniture, fixtures and equipment, as well as plumbing, electrical, and mechanical access. Additionally, closed-circuit television surveillance equipment will be installed throughout the facility.

Formal bids were solicited and five companies submitted bids on April 28, 2010 as follows (^1 MBE, 0 FBE):

Elford, Inc.	\$2,476,072.00
Danis Building Construction Co.	\$2,744,100.00
Albert M. Higley Company	\$2,789,600.00
Gutknecht	\$2,805,100.00
^Smoot	\$2,926,600.00

The Office of Construction Management recommends the bid be awarded to the most responsive and responsible bidder, Elford, Inc.

This ordinance also authorizes a transfer of \$2,389,926.62 from the Special Income Tax Fund to the Construction Management Capital Improvement Fund - Municipal Court Phase 2 Construction and amends the Capital Improvements Budget, Ordinance No. 0564-2010.

Emergency Action is requested so as make necessary security changes as quickly as possible, thereby ensuring the safety of court personnel and visitors.

Fiscal Impact: This project is funded in the 2010 Capital Improvements Budget. However, bonds have yet to be sold for the whole project, necessitating a certification of \$2,389,926.62 against the Special Income Tax Fund. Upon sale of the bonds, this will be reimbursed. The total cost of the contract authorized by this ordinance is \$2,476,071.80

Elford, Inc. Contract Compliance No. 31-4371060, expiration date April 7, 2011.

To authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for renovations (Phase II) at the Municipal Court Building, 375 South High Street; to authorize and direct the City Auditor to transfer \$2,389,926.62 from the Special Income Tax Fund to the Construction Management Improvement Fund; to authorize the City Auditor to appropriate \$2,476,071.80 within the Construction Management Capital Improvement Fund; to authorize the City Auditor to transfer cash within the Construction Management Capital Improvement Fund; to amend the 2010 Capital Improvements Budget; and to authorize the expenditure of \$2,476,071.80 from the Construction Management Capital Improvement Budget; and to declare an emergency. (\$2,476,071.80)

WHEREAS, it is necessary for renovations (Phase II) to occur at the Municipal Court Building, 375 South High Street; and

WHEREAS, formal bids were solicited and five companies submitted bids; and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to 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 a temporary funding method; and

WHEREAS, the aggregate principal amount of obligations the City will issued to finance this contract is presently expected not to

exceed \$2,389,926.62; and

WHEREAS, it is necessary to amend the 2010 Capital Improvements Budget and transfer funds between projects within the Capital Improvements Budget; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as define 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"), and

WHEREAS, an emergency exists in the usual daily operation of the Finance and Management Director, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to modify a contract with Physical Planning Technologies, Inc. for engineering services necessary to develop a Comprehensive Municipal Capital Planning and Asset Management System, 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 Finance and Management Director is hereby authorized to enter into contract on behalf of the Office of Construction Management for renovations (Phase II) at the Municipal Court Building, 375 South High Street.

SECTION 2. The sum of \$2,389,926.62 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, 2010 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 \$2,389,926.62 is hereby transferred and appropriated to the Office of Construction Management, 45-07, Construction Management Capital Improvement Fund, Fund 733, Municipal Court Phase 2 Construction -570043-100007, Object Level One 06, Object Level Three Code 6620, OCA Code 570043.

SECTION 5. That upon obtaining other funds for renovations (Phase II) at the Municipal Court Building, 375 South High Street the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 2.

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 \$2,389,926.62 (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 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 570030-100000 |Project Name - Facility Renovation | OCA Code 733000 |Amount \$55,296.50

Dept/Div: 45-50|Fund: 733|Project Number 570034-100000 |Project Name - Impound Lot Relocation | OCA Code 733000 |Amount \$10,500.00

Dept/Div: 45-50|Fund: 733|Project Number 570056-100000|Project Name - Old Police Headquarters | OCA Code 733000 |Amount \$593.48

Dept/Div: 45-50|Fund: 733|Project Number 570043-100000 |Project Name -Municipal Court Building Renovation | OCA Code 733000 |Amount \$19,755.20

TO:

Dept/Div: 45-50|Fund: 733|Project Number 570043-100007 Project Name - Municipal Phase 2 Construction | OCA Code 733000|Amount \$86,145.18

SECTION 9. That the 2010 Capital Improvements Budget is hereby amended as follows:

Office of Construction Management 45-50

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

570043-100007 Municipal Court Phase 2 Construction (Unvoted Carryover) | \$0| \$86,146| \$86,146
570030-100000 Facility Renovation (Unvoted Carryover) | \$55,640| \$344|(\$55,297)
570034-100000 Impound Lot Relocation (Unvoted Carryover) | \$10,500 | \$0 | (\$10,500)
570043-100000 Municipal Court Building Renovation (Unvoted Carryover) | \$19,755| \$0|(\$19,755)

SECTION 10. All funds necessary to carry out the purpose of this ordinance are hereby deemed appropriated.

SECTION 11. That the expenditure of \$2,476,071.80, 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
Project: 570043-100007
OCA Code: 733000
Object Level: 06
Object Level 3: 6620
Amount \$2,476,071.80

SECTION 12. 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 13. That for the reason stated in the preamble here to, 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.