



Legislation Details (With Text)

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File created: 6/29/2015 **In control:** Public Service & Transportation Committee

On agenda: 7/27/2015 **Final action:** 7/30/2015

Title: To authorize the Director of Public Service to enter into a Design Guaranteed Maximum Reimbursement Agreement with CWKSS Franklinton Developer, LLC; to amend the 2015 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the expenditure of \$270,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$270,000.00).

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
7/30/2015	1	CITY CLERK	Attest	
7/29/2015	1	MAYOR	Signed	
7/27/2015	1	COUNCIL PRESIDENT	Signed	
7/27/2015	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance seeks authorization for the Director of the Department of Public Service to enter into a Design Guaranteed Maximum Reimbursement Agreement with CWKSS Franklinton Developer, LLC, for up to \$270,000.00 to design the Miscellaneous Economic Development - East Franklinton - Lucas Street and Cherry Street Extensions project.

The City of Columbus and CWKSS Franklinton Developer, LLC are engaged in a Public-Private Partnership (3P) to make right of way improvements in support of the redevelopment of the former Riverside Bradley public housing development in the East Franklinton neighborhood of Columbus as part of the Miscellaneous Economic Development - East Franklinton - Lucas Street and Cherry Street Extensions project.

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for CWKSS Franklinton Developer, LLC is 474174161. The expiration date is 06/18/2017.

3. FISCAL IMPACTS

Funds in the amount of \$270,000.00 are available for this project in the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2015 Capital Improvements fund is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

4. EMERGENCY DESIGNATION

The Department of Public Service is requesting that council consider an emergency measure for this ordinance in order to allow the Director of the Department of Public Service to immediately execute a Design Guaranteed Maximum Reimbursement Agreement, which is necessary to facilitate the construction of these improvements to maintain the project schedule and meet community commitments.

To authorize the Director of Public Service to enter into a Design Guaranteed Maximum Reimbursement Agreement with CWKSS Franklinton Developer, LLC; to amend the 2015 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the expenditure of \$270,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$270,000.00).

WHEREAS, CWKSS Franklinton Developer, LLC is redeveloping the site of the former Riverside Bradley public housing development in the East Franklinton neighborhood of Columbus; and

WHEREAS, the City of Columbus and CWKSS Franklinton Developer, LLC are engaged in a Public-Private Partnership (3P) to make right of way improvements in support of the redevelopment as part of the Miscellaneous Economic Development-East Franklinton Lucas Street and Cherry Street Extensions project; and

WHEREAS, the Department of Public Service has identified the need to enter into a Design Guaranteed Maximum Reimbursement Agreement with CWKSS Franklinton Developer, LLC for the design of the Miscellaneous Economic Development - East Franklinton - Lucas Street and Cherry Street Extensions project; and

WHEREAS, this ordinance authorizes the Director of the Department of Public Service to enter into a Design Guaranteed Maximum Reimbursement Agreement with CWKSS Franklinton Developer, LLC for the design of the Miscellaneous Economic Development - East Franklinton - Lucas Street and Cherry Street Extensions project; and

WHEREAS, it is necessary to authorize an amendment to the 2015 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, in that it is immediately necessary to authorize said Design Guaranteed Maximum Reimbursement Agreement to maintain the project schedule and meet community commitments, 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 2015 Capital Improvements Budget authorized by ordinance 0557-2015 be and is hereby amended to provide sufficient budget authority for the appropriate projects authorized within this ordinance as follows:

Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended

704 / 590415-100012 / Public Private Partnership (3P) Projects (Voted 2013) / \$479,461.00 / (\$270,000) / \$209,461.00
704 / 440104-100019 / Miscellaneous Economic Development - East Franklinton - Lucas Street and Cherry Street Extensions (Voted 2013) / \$0.00 / \$270,000.00 / \$270,000.00

SECTION 2. That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways Bonds Fund, No. 704, as follows:

Transfer from:

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

704 / 590415-100012 / Public Private Partnership (3P) Projects / 06-6600 / 741512 / \$270,000.00

Transfer to:

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

704 / 440104-100019 / Miscellaneous Economic Development - East Franklinton - Lucas Street and Cherry Street Extensions / 06-6600 / 741419 / \$270,000.00

SECTION 3. That the Director of the Department of Public Service is hereby authorized to enter into a Design Guaranteed Maximum Reimbursement Agreement with CWKSS Franklinton Developer, LLC, 250 Civic Center Drive, Suite 500, Columbus, OH 43215, pursuant to Section 186 of the Columbus City Charter to design the Miscellaneous

Economic Development - East Franklinton - Lucas Street and Cherry Street Extensions project.

SECTION 4. That for the purposes of paying the cost of this contract a sum of up to \$270,000.00 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 / 440104-100019 / Miscellaneous Economic Development - East Franklinton - Lucas Street and Cherry Street Extensions / 06-6682 / 741419 / \$270,000.00

SECTION 5. 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 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 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 8. 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.