



Legislation Text

File #: 0748-2015, **Version:** 1

1. BACKGROUND

This ordinance seeks authorization for the Director of the Department of Public Service to amend the Design Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc.

The City of Columbus and Daimler Group, Inc. (Daimler) are engaged in a Public-Private Partnership (3P) to make streetscape improvements along the east side of South High Street, north side of Main Street and south side of Rich Street in support of the 250 South High project in the River South District of downtown Columbus.

The Downtown Streetscape - High Street - Rich Street to Main Street project encompasses improvements to South High Street from the south curb line of Rich Street to the north curb line of Main Street, Main Street from the east curb line of South High Street to a point +/- 118 feet east and Rich Street from the east curb line of South High Street to a point +/- 113 feet east and includes new sidewalk, street lights, landscaping and a paver drop-off lane on South High Street. The project also includes replacing a mast arm signal at the southeast corner of South High Street and Rich Street and relocating it from private property into the public right-of-way.

The Director of Public Service has entered into a Design Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc., under the authority of Ordinance 2787-2013, in the amount of \$55,000.00. Due to additional design work required to upgrade pedestrian facilities to fully comply with the city's wheelchair ramp requirements, it is necessary to increase the design reimbursement by an additional \$5,000.00, for a total design guaranteed maximum reimbursement of \$60,000.00.

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Daimler Group, Inc. is 31-1058348 and expires 9/18/16.

3. FISCAL IMPACTS

Funds in the amount of \$5,000.00 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 Budget 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 emergency designation so as to immediately amend the Design Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. and prevent unnecessary delays in the department's Capital Improvement Program.

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 Director of Public Service to amend a Design Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc.; to authorize the expenditure of \$5,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$5,000.00)

WHEREAS, The City of Columbus and Daimler Group, Inc. are engaged in a Public-Private Partnership (3P) to make streetscape improvements along the east side of South High Street, north side of Main Street and south side of Rich Street in support of the 250 South High project in the River South District of downtown Columbus; and

WHEREAS, the scope of the Downtown Streetscape - High Street - Rich Street to Main Street project includes the installation of new sidewalk, street lights, landscaping and a paver drop-off lane on South High Street and the

replacement of a mast arm signal at the southeast corner of South High Street and Rich Street, which will be from private property into the public right-of-way; and

WHEREAS, Ordinance 2787-2013 authorized the Director of Public Service has entered into a Design Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. for up to \$55,000 to design the Downtown Streetscape - High Street - Rich Street to Main Street project; and

WHEREAS, additional design work is necessary to upgrade pedestrian facilities to fully comply with the city's wheelchair ramp requirements, and therefore, it is necessary to increase the Design Guaranteed Maximum Reimbursement Agreement by an additional \$5,000.00, for a total design guaranteed maximum reimbursement of \$60,000.00; 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 an amendment to the Design Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. in order to maintain the project schedule and meet community commitments, 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 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 Carryover) / \$2,457,867.00 / (\$5,000.00) / \$2,452,867.00

704 / 530801-100012 / Downtown Streetscape - High Street - Rich Street to Main Street (Voted Carryover) / \$570,000.00 / \$5,000.00 / \$575,000.00

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 / \$5,000.00

Transfer to:

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

704 / 530801-100012 / Downtown Streetscape - High Street - Rich Street to Main Street / 06-6600 / 780112 / \$5,000.00

SECTION 3. That this ordinance authorizes the Director of the Department of Public Service to amend a Design Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. in connection with the Downtown Streetscape - High Street - Rich Street to Main Street project.

SECTION 4. That for the purposes of paying the cost of this contract the sum of up to \$5,000.00 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 / 530801-100012 / Downtown Streetscape - High Street - Rich Street to Main Street / 06-6682 / 780112 / \$5,000.00

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.