



## Legislation Text

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**File #:** 1461-2015, **Version:** 1

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**BACKGROUND:** This ordinance seeks authorization for the Director of the Department of Development to enter into a Construction Guaranteed Maximum Reimbursement Agreement with PEDC Property Management, Inc. and Midwest Motor Supply Co., dba Kimball Midwest, for up to \$167,219.00 for right-of-way improvements along Walcutt and Roberts Roads adjacent to 4800 Roberts Road.

The City of Columbus, PEDC Property Management, Inc. and Midwest Motor Supply Co., dba Kimball Midwest are engaged in a Public-Private Partnership (3P) for right-of-way improvements along Walcutt and Roberts Roads adjacent to 4800 Roberts Road in support of the Kimball Midwest expansion project on the west side of Columbus.

The scope of public improvements for the project include, but are not limited to, the installation of a box culvert, a concrete drive approach for a new road curb cut and sidewalk along Walcutt Road. The project also includes widening the existing right-in curb cut on Roberts Road and landscaping.

The Department of Development is requesting this ordinance to be considered an emergency measure in order to allow the Director of the Department of Development to immediately execute a Construction Guaranteed Maximum Reimbursement Agreement, which is necessary to complete the project to maintain the project schedule and meet community commitments.

The contract compliance number for PEDC Property Management, Inc. and Midwest Motor Supply Co., dba Kimball Midwest is 31124988. The expiration date is 05/21/2017.

**FISCAL IMPACT:** Funds in the amount of \$167,219.00 are available for this project in the Streets and Highways Bond Fund within the Department of Development. An amendment to the 2015 Capital Improvements fund is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

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 Development to enter into a Construction Guaranteed Maximum Reimbursement Agreement with PEDC Property Management, Inc. and Midwest Motor Supply Co., dba Kimball Midwest, for right-of-way improvements in support of the Kimball Midwest corporate expansion; to authorize the expenditure of \$167,219.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$167,219.00).

**WHEREAS,** the City of Columbus, PEDC Property Management, Inc. and Midwest Motor Supply Co., dba Kimball Midwest are engaged in a Public-Private Partnership (3P) for right-of-way improvements in support of the Kimball Midwest corporate expansion; and

**WHEREAS,** the scope of improvements for the project include, but are not limited to, the installation of a box culvert, a concrete drive approach for a new road curb cut and sidewalk along Walcutt Road. The project also includes widening the existing right-in curb cut on Roberts Road and landscaping; and

**WHEREAS**, the Department of Development has identified the need to enter into a Construction Guaranteed Maximum Reimbursement Agreement with PEDC Property Management, Inc. and Midwest Motor Supply Co., dba Kimball Midwest for right-of-way improvements in support of the Kimball Midwest corporate expansion; and

**WHEREAS**, this ordinance authorizes the Director of the Department of Development to enter into a Construction Guaranteed Maximum Reimbursement Agreement with PEDC Property Management, Inc. and Midwest Motor Supply Co., dba Kimball Midwest, in an amount up to \$167,219.00 for the right-of-way improvements; 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 Development in that it is immediately necessary to authorize said Construction Guaranteed Maximum Reimbursement Agreement and the expenditure of such funds 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 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) / \$1,577,255 / (\$167,219.00) / \$1,410,036

704 / 590415-100018 / Economic and Community Development - Kimball Midwest / \$0 / \$167,219.00 / \$167,219.00

**SECTION 2.** That the City Auditor is hereby authorized to transfer cash and appropriation within the Streets and Highways Bonds Fund 704, as follows:

**Transfer from:**

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

704 / 590415-100012 / Public Private Partnership (3P) Projects (Voted Carryover) / 06-6621 / 741512 / \$167,219

**Transfer to:**

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

704 / 590415-100018 / Economic and Community Development - Kimball Midwest / 06-6621 / 744518 / \$167,219

**SECTION 3.** That this ordinance authorizes the Director of the Department of Development to enter into a Construction Guaranteed Maximum Reimbursement Agreement with PEDC Property Management, Inc. and Midwest Motor Supply Co., dba Kimball Midwest, for right-of-way improvements along Walcutt and Roberts Roads adjacent to 4800 Roberts Road in support of the Kimball Midwest expansion project.

**SECTION 4.** That for the purpose stated in Section 3 the sum of up to \$167,219.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways Bond Fund, Fund 704, Project 590415-100018, Economic and Community Development - Kimball Midwest, Object Level One 06, Object Level Three 6621, OCA 744518.

**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.