



## Legislation Text

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**File #:** 2400-2012, **Version:** 1

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**BACKGROUND:** The purpose of this legislation is to modify a construction reimbursement agreement between the City of Columbus and the Solid Waste Authority of Central Ohio ("SWACO") for construction of the Morse Road Eco Center.

Ordinance No. 1576-2011, passed September 5, 2011, authorized a Memorandum of Understanding (MOU) with SWACO. Thereafter, Ordinance No. 2147-2011, passed December 14, 2011, authorized the Director of the Department of Finance and Management to enter into a Construction Reimbursement Agreement with SWACO for construction of the Morse Road Eco Center. Under this reimbursement agreement, SWACO has been contracted to complete certain public improvements at this location. Infrastructure improvements include, but are not limited to, a solid waste transfer station to be operated by SWACO, a Division of Refuse Collection station, a Division of Fleet Management vehicle repair facility, a truck washing facility and a diesel/unleaded gasoline fueling station. All structures will be sized to sufficiently house all vehicles operating from this location and these facilities will be equipped with safety features to accommodate CNG powered vehicles. The project will be LEED certified as recognized by the United States Green Building Council (USGBC).

A modification of the construction reimbursement agreement is necessary so as to increase the contract amount from \$9,000,000 to \$9,234,097. The modification includes, but is not limited to, shop drawings, requests for information and submittal review during construction, LEED certification, and periodic site visits during construction to check for compliance with the design plans and specifications incurred by the architectural and engineering firm retained by SWACO. Reimbursement to SWACO by the City is apportioned according to the construction costs for the City's and/or shared facilities as compared to the overall costs of the total project, and is provided for by an agreed formula contained within in the Construction Reimbursement Agreement.

This ordinance also establishes an Auditor's Certificate in the amount of \$75,000.00 as a building up-fitting contingency for Fleet Management. Fleet operates a support maintenance facility at this site. Though major repairs and maintenance is conducted at the main Fleet Management Facility at Groves Road, there is a need for fleet maintenance equipment at this site such as portable vehicle lifts, welding equipment, and technician work benches. All items to be purchased from this Certificate will be bid in accordance with the competitive bidding provisions of the Columbus City Codes.

**Fiscal Impact:** SWACO and the City each pay their respective costs for the facilities, and the costs of the shared facilities shall be paid by the entities proportionately for shared infrastructure (such as roadways, parking, retention ponds, etc.), as compared to the overall costs of the project.

To amend the 2012 Capital Improvement Budget; to authorize the City Auditor to transfer funds between projects within the Division of Refuse Collection G.O. Bonds Fund and the Fleet Management Capital Fund ; to authorize the Director of the Department of Finance and Management to modify a construction reimbursement agreement with the Solid Waste Authority of Central Ohio (SWACO) for construction of the Morse Road Eco Center; to authorize the expenditure of up to \$234,097.00 from the Division of Refuse Collection G.O. Bonds Fund; and to establish an \$75,000.00 Auditor's Certificate for facility up-fitting for Fleet Management from the Fleet Management Capital Fund. (\$309,097.00)

**WHEREAS,** it is necessary to amend the 2012 Capital Improvement Budget and to transfer cash between projects within the Division of Refuse Collection G.O. Bonds Fund and the Fleet Management Capital Fund; and

**WHEREAS,** Ordinance No. 1576-2011, passed September 5, 2011, authorized the Directors of the Department of Finance and Management and the Department of Public Service to enter into a Memorandum of Understanding (MOU)

with the Solid Waste Authority of Central Ohio ("SWACO"); and

**WHEREAS**, subsequently, ordinance No. 2147-2011, passed December 14, 2011, authorizing the Director of the Department of Finance and Management to enter into a construction reimbursement agreement with SWACO for construction of the Morse Road Eco Center; and

**WHEREAS**, a modification of the existing construction reimbursement agreement is necessary to increase the contract amount; and

**WHEREAS**, SWACO acts to oversee and/or supervise the facility project, and is responsible for hiring all Construction Manager(s), Construction Administration, Contractor(s), and/or other necessary personnel for the project; and

**WHEREAS**, the Office of Construction Management is acting as the City's owner representative for the project, and is responsible for reimbursing all contractually agreed proportional costs relating to this facility; and

**WHEREAS**, the establishment of an Auditor's Certificate for a building up-fitting contingency for Fleet Management for items such as portable vehicle lifts, welding equipment, and technician work benches; and

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the 2012 Capital Improvement Budget be amended as follows to provide sufficient authority for this expenditure:

**Fund 703**

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

Alum Creek Remediation - Facility Improvements (Voted 2008) |520004-100005|\$460,000.00|\$225,903.00| (\$234,097.00)

Morse Road Renovations- Morse Rd Transfer Station (Voted 2008) |520756-100001|\$40,000.00|\$274,097.00|\$234,097.00

**Fund 513-005**

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

Fleet Automated Fuel Location Upgrades|550002-100000|\$151,699|\$76,699.00| (\$75,000.00)

Fleet Morse Road Eco Center Upgrades|550002-100003|\$0|\$75,000.00|\$75,000.00

**SECTION 2.** That the transfer of cash and appropriation within the Refuse G.O. Bonds Fund, Fund 703, be authorized as follows:

**FROM:**

Dept./Div.: 59-02| Fund: 703|Project Number: 520004-100005|Project Name: Alum Creek Remediation - Facility Improvements|OCA Code: 730405|OL3: 6600|Amount: \$234,097.00

**TO:**

Dept./Div.: 59-02| Fund: 703|Project Number: 520756-100001 |Project Name: Morse Road Renovations- Morse Road Transfer Station |OCA Code: 735601|OL3: 6600|Amount: \$234,097.00

**SECTION 3.** That the Finance and Management Director is hereby authorized to modify a construction reimbursement agreement with the Solid Waste Authority of Central Ohio (SWACO) for construction of the Morse Road Eco Center.

**SECTION 4.** That the expenditure of up to \$234,097.00 or so much thereof as may be necessary in regard to the action authorized in SECTION 3, be and is hereby authorized from the Refuse Collection G.O. Bonds Fund and is approved as follows:

Dept./Div.: 59-02  
Fund: 703  
Project: 520756-100001  
OCA Code: 735601  
Object Level 1: 06  
Object Level 3: 6681  
Amount: \$234,097.00

**SECTION 5.** That the transfer of cash and appropriation within the Fleet Management Capital Fund 513-005, be authorized as follows:

**FROM:**

Dept./Div.: 45-05| Fund: 513-005|Project Number: 550002-100000|Project Name: Fleet Automated Fuel Location Upgrades|OCA Code: 551306|OL3: 6621|Amount: \$75,000.00

**TO:**

Dept./Div.: 45-05| Fund: 513-005|Project Number: 550002-100003|Project Name: Fleet Morse Road Eco Center Upgrades|OCA Code:530203 |OL3: 6621|Amount: \$75,000.00

**SECTION 6.** 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 7.** That the establishment of an Auditor's Certificate as building up-fitting contingency for Fleet Management is authorized and is to be funded as follows:

Dept./Div.: 45-05  
Fund: 513-005  
Project: 550002-100003  
OCA Code: 530203  
Object Level: 06  
Object Level 3: 6621  
Amount: \$75,000.00

All work, equipment, furniture, fixtures, equipment, and services will be done in accordance with the competitive bidding provisions of the Columbus City Codes. City Council recognizes this Section does not identify the contractor(s) to whom the contract(s) will be awarded and understands its passage will give the Finance and Management Director the final decision in determination of the lowest, responsive and responsible bidder for such contract(s). This Council is satisfied it is in the best interests of the City to delegate this contracting decision.

**SECTION 8.** That the City Auditor is authorized to establish proper project accounting numbers as appropriate.

**SECTION 9.** 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 10.** 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 11.** This ordinance shall take effect and be in force from and after the earliest period allowed by law.