



Legislation Text

File #: 0653-2011, Version: 1

1. BACKGROUND

On August 29, 2008, the City entered into the Columbus Coated Fabrics Economic Development Agreement (EDA) with Wagenbrenner Development, Inc. to address the redevelopment of the site with housing, green space and improved roadways.

On July 17, 2009, the City entered into the Columbus Coated Fabrics Design Agreement with Wagenbrenner Development, Inc. for the design of public roadway and infrastructure improvements on and around the site.

On November 9, 2010, the City entered into the Columbus Coated Fabrics Construction Guaranteed Maximum Reimbursement Agreement (GMRA) for the construction of public roadway and infrastructure improvements on and around the site.

The City has committed to funding the design and construction of street and utility improvements up to \$12.85 million. The cost of design is \$1,060,000.00. The cost of roadway improvements, including utility upgrades and inspection, will be \$11,790,000.00.

Ordinance 1565-2009 authorized the expenditure of \$6,760,000.00 for Grant Avenue improvements including construction inspection costs.

This ordinance authorizes the Directors of Public Service and Public Utilities to modify the construction Guaranteed Maximum Reimbursement Agreement with Wagenbrenner Development, Inc. to provide for utility relocation expenses including inspection costs.

Work to be performed as part of this modification consists of relocation of utility poles along Grant Avenue to the utility easement along the west side of the CSX Railroad between 5th and 9th Avenues. The Division of Power and Water(Power) will be inspecting this work in accordance with the MELP Relocation Plan (Weinland Park) dated February 11, 2011.

The original GMRA amount is:	\$3,406,946.63
The amount of this GMRA modification is :	\$ 216,557.24 (construction)
The total GMRA amount is:	\$3,623,503.87

The amount for inspection is:	\$ 25,000.00
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Total legislated amount is: \$241,557.24

That Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Wagenbrenner Development, Inc.

2. EMERGENCY DESIGNATION

Emergency action is requested to continue and complete this project at the earliest possible time.

3. FISCAL IMPACT

The Department of Development will provide funding for these relocation expenses from remaining funds authorized to be expended in ordinance 1565-2009. This ordinance authorizes the utilization of these funds for the purpose of funding roadway and utility expenses, including inspection, around the Columbus Coated Fabrics site.

To authorize the Directors of Public Service and Public Utilities to execute a contract modification to the Guaranteed Maximum Reimbursement Agreement with Wagenbrenner Development, Inc. for the construction and inspection of public roadway and utility improvements on Grant Avenue in the Columbus Coated Fabrics area; to authorize Director of Public Service to utilize existing funding established for this project for the purpose of paying for these expenses; and to declare an emergency. (\$241,557.24)

WHEREAS, the City entered into an Economic Development Agreement (EDA) with Wagenbrenner Development, Inc. to address the redevelopment of the Columbus Coated Fabrics site through which the City agreed to fund up to \$12.85 million in improved

public roadways and utilities; and

WHEREAS, the City entered into a Design Agreement with the developer in order to complete the design of such public improvements, authorized by ordinance 0043-2009; and

WHEREAS, ordinance 1565-2009, authorized the City to enter into the Guaranteed Maximum Reimbursement Agreement for Phase 1 improvements and authorized the expenditure of \$6,760,000.00 for this Agreement; and

WHEREAS, a contract was established in the amount of \$3,406,946.63 for this purpose; and

WHEREAS, it is necessary to execute a contract modification to the Guaranteed Maximum Reimbursement Agreement for Phase 1 of this project to provide for Utility relocation and inspection costs; and

WHEREAS, this ordinance authorizes the Director of Public Service to utilize a portion of the remaining funds that were legislated in ordinance 1565-2009 for this project for the utility relocation and inspection expenses incurred; and

WHEREAS, an emergency exists in the usual daily operation of the Departments of Public Service and Public Utilities, in that it is immediately necessary to provide for these utility relocation and inspection expenses; 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 Directors of Public Service and Public Utilities be authorized to modify a Guaranteed Maximum Reimbursement Agreement with Wagenbrenner Development, Inc., 575 West First Avenue #100, Columbus, Ohio 43215, pursuant to Section 186 of the Columbus City Charter for the purpose of providing funding for utility relocation costs to construct infrastructure and public roadway improvements on Grant Avenue on the Columbus Coated Fabrics site and surrounding area and to provide for construction inspection costs up to \$241,557.24.

SECTION 2. That for the purpose stated in Section 1, the Director of Public Service is authorized to utilize an existing Auditor's Certificate (AC030562-002) authorized within ordinance 1565-2009 for the purpose of providing funding for utility relocation costs and inspection up to \$241,557.24 or so much thereof as may be needed.

SECTION 3. 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 4. That for 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.