



Legislation Text

File #: 1033-2021, **Version:** 1

1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement (the “Agreement”) with Campus Partners for Community Urban Redevelopment, Inc. (the “Developer”) for the Arterial Street Rehabilitation - 15th and High Phase 2 project (the “Project”).

The Developer is undertaking the construction of the Project in connection with its 15th and High Street redevelopment project in the University District area. This will result in public improvements to North High Street, East 17th Avenue, East 16th Avenue, Waldeck Avenue, and North Pearl Street.

The Department of Development has agreed to submit legislation to City Council in an amount of up to \$2 million to reimburse the Developer for a portion of Project costs. This ordinance will appropriate funding in the amount of \$1 million to support partial reimbursement to the Developer of eligible Project costs. The Department of Development plans to submit a request through the 2022 Capital Improvement Budget process to fund the remaining \$1 million owed to the Developer for reimbursement of eligible Project costs.

2. CONTRACT COMPLIANCE INFORMATION

Campus Partners for Community Urban Redevelopment, Inc., will be required to become contract compliant before entering into a reimbursement agreement with the City.

3. FISCAL IMPACT

Funding for this project is available as follows: \$1,000,000.00 is available in the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2020 Capital Improvement Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

4. EMERGENCY DESIGNATION

Emergency action is requested so as to allow the Director of Public Service to immediately execute the aforementioned Construction Guaranteed Maximum Reimbursement Agreement, which is necessary to complete the construction of the proposed improvements as soon as reasonably practicable in order to maintain the current project schedule and to meet community commitments.

To amend the 2020 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 enter into a Construction Guaranteed Maximum Reimbursement Agreement with Campus Partners for Community Urban Redevelopment, Inc., relative to the Arterial Street Rehabilitation - 15th and High Phase 2 project; to authorize the expenditure of up to \$1,000,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$1,000,000.00).

WHEREAS, Campus Partners for Community Urban Redevelopment, Inc. (the “Developer”) is undertaking the construction of the Arterial Street Rehabilitation - 15th and High Phase 2 project, which will result in public improvements to North High Street, East 17th Avenue, East 16th Avenue, Waldeck Avenue, and North Pearl Street (the “Project”) in connection with its 15th and High Street development in the University District area; and

WHEREAS, the Department of Development has agreed to submit legislation to City Council in a total amount of up to \$2 million to reimburse the Developer for a portion of Project costs; and

WHEREAS, this ordinance will appropriate funding in the amount of \$1 million to support partial reimbursement to the Developer of eligible Project costs; and

WHEREAS, the Department of Development plans to submit a request through the 2022 Capital Improvement Budget process to fund the remaining \$1 million owed to the Developer for the reimbursement of eligible Project costs; and

WHEREAS, it is necessary to authorize the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement with the Developer for that purpose relative to the construction of the Project; and

WHEREAS, it is necessary to authorize an amendment to the 2020 Capital Improvement 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 the Director of Public Service enter into a Construction Guaranteed Maximum Reimbursement Agreement with Campus Partners for Community Urban Redevelopment, Inc. in order to complete the construction of the proposed improvements as soon as reasonably practicable in order to maintain the current project schedule and to 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 2020 Capital Improvement Budget authorized by Ordinance 2521-2020 be and is hereby amended to provide sufficient budget authority for the appropriate projects authorized within this ordinance as follows:

Fund / Project / Project Name / Current C.I.B. / Amendment Amount / C.I.B. as Amended

7704 / P440010-100000 / Economic Development Agreement (Voted Carryover) / \$969,132.00 / (\$969,132.00) / \$0.00
7704 / P590416-100000 / Poindexter Village Redevelopment (Voted Carryover) / \$53,724.00 / (\$30,868.00) / \$22,856.00

7704 / P530103-100072 / Arterial Street Rehabilitation - 15th and High Phase 2 (Voted Carryover) / \$0.00 / \$1,000,000.00 / \$1,000,000.00

SECTION 2. That the transfer of \$969,131.90, or so much thereof as may be needed, is hereby authorized between projects within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 59-12 (Division of Design and Construction), Project P440010-100000 (Economic Development Agreements), to Dept-Div 59-12 (Division of Design and Construction), Project P530103-100072 (Arterial Street Rehabilitation - 15th and High Phase 2), Object Class 06 (Capital Outlay), per the account codes in the attachment to this ordinance.

SECTION 3. That the transfer of \$30,868.10, or so much thereof as may be needed, is hereby authorized between projects within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 59-12 (Division of Design and Construction), Project P590416-100000 (Poindexter Village Redevelopment), Object Class 06 (Capital Outlay), to Dept-Div 59-12 (Division of Design and Construction), Project P530103-100072 (Arterial Street Rehabilitation - 15th and High Phase 2), Object Class 06 (Capital Outlay), per the account codes in the attachment to this ordinance.

SECTION 4. That the Director of Public Service be and is hereby authorized to enter into a Construction Guaranteed Maximum Reimbursement Agreement with Campus Partners for Community Urban Redevelopment, Inc., located at 2003 Milliken Road, Columbus, Ohio 43215, relative to the construction of public infrastructure improvements in connection with the Arterial Street Rehabilitation - 15th and High Phase 2 project.

SECTION 5. That the expenditure of \$1,000,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 59-12 (Division of Design and Construction), Project P530103-100072 (Arterial Street Rehabilitation - 15th and High Phase 2) in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

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 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 8. 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 9. 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.