



Legislation Text

File #: 1031-2015, **Version:** 1

1. BACKGROUND

This ordinance seeks authorization for the Director of Public Service to amend a Construction Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. relative to the Downtown Streetscape - High Street - Rich Street to Main Street project and to encumber additional funds for the city to perform construction administration and inspection services pursuant to that effort.

The City of Columbus and Daimler Group, Inc. (the developer) are currently 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.

Ordinance No. 0657-2015 authorized the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. and to encumber funds for the city to perform construction administration and inspection services in an amount totaling \$570,000.00 for the Downtown Streetscape - High Street - Rich Street to Main Street project.

In April 2015, the city accepted bids for the project on behalf of Daimler Group, Inc. At that time, the lowest, responsive, and best bid substantially exceeded the engineer's estimate of construction costs. The Department of Development has committed up to \$200,000.00 to pay the increased construction cost and the increased cost for the city to perform construction administration and inspection services.

This ordinance authorizes the Department of Public Service to amend the total dollar amount of the Construction Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. and to encumber additional funds for the City to perform construction administration and inspection services, for a total expenditure of \$770,000.00 to facilitate the completion of the Downtown Streetscape - High Street - Rich Street to Main Street project.

2. CONTRACT COMPLIANCE INFORMATION

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

3. FISCAL IMPACTS

Funds in the amount of \$200,000.00 are available for this project in the Streets and Highways G.O. Bond Fund within the Department of Public Service. An amendment to the Capital Improvements fund 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 action be taken in order to allow construction of the project to proceed immediately, thereby allowing the city and the developer to maintain the project schedule and meet community commitments.

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 the total dollar amount for the Construction Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. and the funds encumbered to pay for the city to perform construction administration and inspection services for the Downtown Streetscape - High Street - Rich Street to Main Street project; to authorize the expenditure of \$200,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$200,000.00).

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, Ordinance No. 0657-2015 authorized the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. and to encumber funds required for the city to perform construction administration and inspections services for the Downtown Streetscape - High Street - Rich Street to Main Street project for up to \$570,000.00; and

WHEREAS, the city accepted bids for the project on behalf of Daimler Group, Inc., and the lowest, responsive, responsible, and best bid substantially exceeded the engineer's estimate; and

WHEREAS, the Department of Development is committed to funding the increased construction cost and the increased cost for the city to perform construction administration and inspection services in the amount of \$200,000.00; and

WHEREAS, this ordinance authorizes the Director of Public Service to amend the Construction Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. and to encumber additional funds for the city to perform construction administration and inspection services, for a total expenditure of \$770,000.00 for the Downtown Streetscape - High Street - Rich Street to Main Street project; 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 amending the aforementioned Construction Guaranteed Maximum Reimbursement Agreement and the encumbrance of additional funds for the city to perform construction administration and inspection services so as to maintain the current construction schedule, 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 2015 Capital Improvement 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 / \$2,402,867.00 / (\$200,000.00) / \$2,202,867.00

704 / 530801-100012 / Downtown Streetscape - High Street - Rich Street to Main Street / \$575,000.00 / \$200,000.00 / \$775,000.00

SECTION 2. That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways G.O. 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 / \$200,000.00

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 / \$200,000.00

SECTION 3. That the Director of the Department of Public Service is hereby authorized to amend the Construction Guaranteed Maximum Reimbursement Agreement with Daimler Group, Inc. and to encumber funds for the city to perform construction administration and inspection services by adding an additional \$200,000.00 to the amount authorized by 0657-2015 for a total amount of \$770,000.00 for the Downtown Streetscape - High Street - Rich Street to Main Street project.

SECTION 4. That for the purpose of paying the cost of this contract and paying the cost of the city to perform construction administration and inspection services, the sum of up to \$200,000.00 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 / 06-6631 / 780112 /
\$200,000.00

SECTION5. 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.

SECTION6. 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.

SECTION7. 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.