



# City of Columbus

Office of City Clerk  
90 West Broad Street  
Columbus OH 43215-9015  
columbuscitycouncil.org

## Legislation Text

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**File #:** 1711-2013, **Version:** 1

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### **Background:**

Bids were received by the Recreation and Parks Department on June 25, 2013 for the Maryland Pool Bathhouse Improvements Project as follows:

	<u>Status</u>	<u>Bid Amount</u>
Gutknecht	MAJ	\$4,012,500
Thomas & Marker	MAJ	\$4,225,300
Knoch Corp.	MAJ	\$4,586,500

The work for which proposals are invited consists of the following: the removal and replacement of the existing Maryland Bath House structure located at Saunders Park, 1380 Atcheson, 43203. The work also includes the pool replacement and supporting pool mechanical building and other such work as may be necessary to complete the contract. Planning Areas: 19

### **Principal Parties:**

Gutknecht Construction Co.  
Mike Poyer (Contact)  
2280 Citygate Drive  
Columbus, OH 43219  
614-532-5410 (Phone)  
31-0935568 compliant through: 8/23/13

To authorize the Recreation and Parks Director to enter into contract with Gutknecht Construction Company for the Maryland Pool Bathhouse Improvements Project; to authorize and direct the City Auditor to appropriate and transfer \$4,500,000.00 from the Special Income Tax Fund to the Recreation and Parks Voted Bond Fund; to authorize the City Auditor to appropriate \$4,500,000.00 within the Recreation and Parks Bond Fund; to authorize the City Auditor to transfer \$4,500,000.00 within the Voted Recreation and Parks Bond Fund 702; to amend the 2013 Capital Improvements Budget Ordinance 0645-2013, to authorize the expenditure of \$4,500,000.00 from the Recreation and Parks Bond Fund; and to declare an emergency. (\$4,500,000.00)

**WHEREAS**, bids were received by the Recreation and Parks Department on June 25, 2013 for the Maryland Pool Bathhouse Improvements Project; and

**WHEREAS**, the project will be awarded to Gutknecht Construction Company as the lowest and best responsive bidder; and

**WHEREAS**, funds are being moved to alternate projects within Fund 702 to establish correct funding project detail location for the Maryland Pool Bathhouse Improvements Project; and

**WHEREAS**, the 2013 Capital Improvement Budget will be amended to reflect the fund transfers from projects within Fund 702; and

**WHEREAS**, it is necessary to transfer funds from the Special Income Tax Fund to fund this project; and

**WHEREAS**, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

**WHEREAS**, this transfer should be considered as a temporary funding method; and

**WHEREAS**, the aggregated principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$4,500,000.00; and

**WHEREAS**, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the Treasury Regulations (the "Treasury Regulations") promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the "Project"); and

**WHEREAS**, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is immediately necessary to enter into contract with Gutknecht Construction Company for the Maryland Pool Bathhouse Improvements Project to ensure the project is completed by the 2014 pool season, 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 Recreation and Parks Director is hereby authorized to enter into contract with Gutknecht Construction Company for the Maryland Pool Bathhouse Improvements Project;

**SECTION 2.** That the sum of \$4,500,000 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 430, and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2013 to the City Auditor, Department 22 -01, Object Level One 10, OCA code 902023, Object Level Three 5502.

**SECTION 3.** That the City Auditor is hereby authorized to transfer said funds in SECTION 1 to the Recreation and Parks Bond Fund 702 as follows:

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

702 / 510011-100009 / Maryland Pool/ 6620 /721109/ \$4,500,000.00

**SECTION 4.** That the 2013 Capital Improvements Budget Ordinance 0645-2013 is hereby amended as follows in order to provide sufficient budget authority for this legislation.

CURRENT:

Fund 702; Project 510011-100009/ Maryland Pool/\$4,693,300 (SIT Supported)

Fund 702; Project 510011-100000/ Swimming Facilities/\$500,000 (SIT Supported)

AMENDED TO:

Fund 702; Project 510011-100009/ Maryland Pool/\$4,500,000 (SIT Supported)

Fund 702; Project 510011-100000/ Swimming Facilities/\$693,300 (SIT Supported)

**SECTION 5.** That the expenditure of \$4,500,000.00 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Voted Recreation and Parks Bond Fund 702 as follows:

Project	OCA Code	Object Level 3	Amount
510011-100009 (Maryland Pool)	721109	6620	\$4,500,000.00

**SECTION 6.** That the monies appropriated in the foregoing Section 5 shall be paid upon order of the Director of Recreation and Parks and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor.

**SECTION 7.** That upon obtaining other funds for this project for the Department of Recreation and Parks, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 2.

**SECTION 8.** That the City Auditor is authorized to make any accounting changes to revise the funding source for any contract(s) or contract modification(s) associated with the expenditure of the funds transferred under Section 2 above.

**SECTION 9.** That the City intends that this ordinance constitute an "official intent" for purposes of Section 1.150-2(e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$4,500,000 (the "Obligations").

**SECTION 10.** That The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is "placed in service" within the meaning of Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

**SECTION 11.** 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 12.** 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 13.** 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 10 days after passage if the Mayor neither approves nor vetoes the same.