



## Legislation Text

---

**File #: 2923-2019, Version: 1**

---

### **1. BACKGROUND**

This legislation authorizes the Director of Public Service to modify reimbursement agreements with OhioHealth Corporation (“OhioHealth”) relative to the design and construction of public infrastructure improvements in the vicinity of S.R. 315 and North Broadway (the “Projects”).

Ordinance 2894-2017 authorized the Director of Public Service to enter into reimbursement agreements with OhioHealth to support costs associated with the design and construction of the Projects in an amount of up to \$3,877,000.00.

Ordinance 1454-2018 authorized the Director of Public Service to modify said agreements in an amount of up to \$413,970.00 to support costs associated with additional work related to Stream Corridor Protection Zone requirements and the replacement of an existing 20-inch water main along Olentangy River Road between Slyh Run and McConnell Drive.

The actual costs incurred by OhioHealth relative to the completion of stream mitigation plans have exceeded the monies appropriated pursuant to Ordinance 1454-2018 for that purpose, necessitating the execution of a second modification between the parties and the expenditure of up to \$210,000.00 to reimburse OhioHealth for the cost of said work.

Original contract amount: \$3,877,000.00 (Ordinance #2894-2017)

Modification #1: \$413,970.00 (Ordinance #1454-2018)

Modification #2: \$210,000 (this Ordinance)

Total contract amount: \$4,500,970.00

### **2. CONTRACT COMPLIANCE INFORMATION**

The contract compliance number for OhioHealth Corporation is CC006104, which expires March 13, 2021.

### **3. FISCAL IMPACT**

Funding for this project is available in the Streets and Highways Bond Fund, Fund 7704, within the Department of Public Service. An amendment to the 2019 Capital Improvement Budget is necessary to transfer \$210,000.00 in budget authority to P441759-100003 (SR315 at North Broadway - Design) for the purpose of providing sufficient budget authority in the proper project. It is also necessary to transfer \$210,000.00 in cash between these projects.

### **4. EMERGENCY DESIGNATION**

Emergency action is requested to allow for the immediate execution of the necessary modification(s) to maintain the current project schedule and to meet community commitments.

To amend the 2019 Capital Improvements Budget; to authorize the City Auditor to transfer cash between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service to modify reimbursement agreements with OhioHealth Corporation relative to public infrastructure improvements in the vicinity of S.R. 315 and North Broadway; to authorize the expenditure of up to \$210,000.00 from the Streets and Highways Bond Fund for this modification; and to declare an emergency. (\$210,000.00)

**WHEREAS**, Ordinance 2894-2017 authorized the Director of Public Service to enter into reimbursement agreements with OhioHealth Corporation (“OhioHealth”) in an amount of up to \$3,877,000.00 to support costs associated with the design and construction of public infrastructure improvements in the vicinity of S.R. 315 and North Broadway (the “Projects”); and

**WHEREAS**, Ordinance 1454-2018 authorized the Director of Public Service to modify the aforementioned reimbursement agreements in an amount of up to \$413,970.00 to support costs associated with additional work related to Stream Corridor Protection Zone requirements and the replacement of an existing 20-inch water main along Olentangy River Road between Slyh Run and McConnell Drive; and

**WHEREAS**, the actual costs incurred by OhioHealth relative to the development of stream mitigation plans have exceeded the monies appropriated pursuant to Ordinance 1454-2018 for that purpose; and

**WHEREAS**, this legislation authorizes the Director of Public Service to modify existing reimbursement agreements with OhioHealth to provide for the reimbursement of up to \$210,000.00 in additional costs incurred for said work; and

**WHEREAS**, it is necessary to amend the 2019 Capital Improvement Budget and to transfer budget authority and funds between projects within the Streets and Highways Bond Fund for this contract modification; and

**WHEREAS**, an emergency exists in the usual operation of the Department of Public Service in that is immediately necessary to modify the aforementioned agreements 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 2019 Capital Improvements Budget authorized by Ordinance 1326-2019 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 / Change / Amended**

7704 / P440010-100000 / Economic Development Agreement (Voted Carryover) / \$3,836,356.00 / (\$210,000.00) / \$3,626,356.00

7704 / P441759-100003 / SR315 at North Broadway - Design (Voted Carryover) / \$0.00 / \$210,000.00 / \$210,000.00

**SECTION 2.** That the transfer of \$210,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P440010-100000 (Economic Development Agreement), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Design and Construction), Project P441759-100003 (SR315 at North Broadway - Design), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the Director of the Department of Public Service be and hereby is authorized to modify existing reimbursement agreements with OhioHealth Corporation relative to the design and construction of public infrastructure improvements in in the vicinity of S.R. 315 and North Broadway in an amount of up to \$210,000.00.

**SECTION 4.** That the expenditure of \$210,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 59-12 (Design and Construction), Project P441759-100003 (SR 315 at North Broadway-Design) in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 5.** 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 6.** 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 7.** 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.