



## Legislation Text

**File #:** 1572-2021, **Version:** 1

**BACKGROUND:** This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with R.W. Setterlin Building Company for the renovation of the Police and Fire Joint Administrative Building at 1185 East Broad Street.

The purpose of the Police and Fire Joint Safety Administrative Building project is to renovate an approximately 13,000 square-foot 2-story facility that will be utilized as office, conference room, and workstation space for both the Police and Fire Divisions. Currently, the Division of Police and the Division of Fire's administrative functions are operated out of a leased facility. By renovating an existing property, the Department of Safety will be able to more efficiently coordinate administrative functions and the City will have added flexibility in terms of workspace configuration and will also be able to lower future operating costs by avoiding the need to budget for lease payments. The scope of work includes but is not limited to, construction of new mechanicals, electrical, and plumbing ("MEP"), revitalization of the façade, hazardous material remediation, interior and site security, as well as modernization of the fire alarm system, technology infrastructure, and elevator system. This project will also include renovation work related to landscaping, roof repair/replacement, perimeter drainage, furniture/fixtures/equipment ("FFE"), and signage.

Formal bids were solicited and the City received three (3) bids (0 FBE, 0 MBE) on May 18, 2021 as follows:

Company	City	FBE/MBE	Amount of Bid
Altman General Contractors	Columbus	EBOCC	Withdrawn
R.W Setterlin Building Company	Columbus	EBOCC	\$6,172,069.00
Elford, Inc.	Columbus	EBOCC	\$6,461,000.00

Altman General Contractors had a low base bid of \$5,781,000.00. Due to errors and omissions on their bid, Altman General Contractors has voluntarily withdrawn their bid from consideration.

The Office of Construction Management recommends the bid be awarded to the lowest, responsive, responsible, and best bidder, R.W. Setterlin Building Company.

R.W. Setterlin Building Company Contract Compliance No. 31-0836188, expiration date November 3, 2022.

**Emergency action** is requested in order to complete site work in 2021 prior to winter weather conditions, as well as avoiding potential increases in the cost of construction due to industry trends.

**Fiscal Impact:** This legislation authorizes an expenditure of \$5,750,000.00 from the Safety Voted Bond Fund and \$422,069.00 from the General Permanent Improvement Fund with R.W. Setterlin Building Company for the renovation of the Police and Fire Joint Administrative Building at 1185 East Broad Street. Funds from the Safety Voted Bond Fund will need to be certified against the SIT and reimbursed with future bond sale proceeds.

To amend the 2020 Capital Improvement Budget; to authorize the Director of Finance and Management to enter into a contract on behalf of the Office of Construction Management with R.W. Setterlin Building Company for the renovation of the Police and Fire Joint Administrative Building at 1185 East Broad Street; to authorize the appropriation of \$5,750,000.00 within the Safety Voted Bond Fund; to authorize the transfer and appropriation of \$422,069.00 within the General Permanent Improvement Fund; to authorize the City Auditor to appropriate and transfer funds from the Special

Income Tax Fund to the Safety Voted Bond Fund; to authorize the expenditure of \$5,750,000.00 from the Safety Voted Bond Fund and \$422,069.00 from the General Permanent Improvement Fund; and to declare an emergency. (\$6,172,069.00)

**WHEREAS**, it is necessary to amend the 2020 Capital Improvement Budget; and

**WHEREAS**, it is necessary to transfer funds between projects within the General Permanent Improvement Fund; and

**WHEREAS**, it is necessary to authorize the appropriation of \$5,750,000.00 within the Safety Voted Bond Fund and the appropriation of \$422,069.00 within the General Permanent Improvement Fund; and

**WHEREAS**, it is necessary to appropriate funds within the Special Income Tax Fund; and

**WHEREAS**, it is necessary to transfer funds from the Special Income Tax Fund to the Safety Voted Bond Fund; and

**WHEREAS**, the City 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 \$5,750,000; 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**, it is necessary to authorize the expenditure of \$5,750,000.00 from the Safety Voted Bond Fund and the expenditure of \$422,069.00 from the General Permanent Improvement Fund; and

**WHEREAS**, the Finance and Management Department, Office of Construction Management, desires to enter into a contract for the renovation of Police and Fire Joint Administrative Building at 1185 East Broad Street; and

**WHEREAS**, the Office of Construction Management solicited formal bids for the renovation of Police and Fire Joint Administrative Building at 1185 East Broad Street and R.W. Setterlin Building Company was deemed the lowest, responsive, and responsible bidder; and

**WHEREAS**, an emergency exists in the usual daily operation of the Finance and Management Department, Office of Construction Management, in that it is immediately necessary to authorize the Director of Finance and Management to enter into a contract with R.W. Setterlin Building Company in order to expedite the work during the summer months so that necessary renovations can commence as soon as possible, 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 Finance and Management Director is hereby authorized to enter into a contract on behalf of the Office of Construction Management with R.W. Setterlin Building Company for renovation of the Police and Fire Joint Administrative Building at 1185 East Broad Street.

**SECTION 2.** That the 2020 Capital Improvements Budget authorized by Ordinance 2521-2020 be amended as follows to establish sufficient authority for this project:

**Fund / Project / Project Name / Current / Change / C.I.B. as Amended**

7701 / P330068-100000 / Joint Safety Administrative Building (Voted 2019 Debt SIT Supported) / \$0 / \$5,750,000/  
\$5,750,000 (Certifying against the SIT)

7748 / P748999-100000 / Unallocated Balance / \$7,400,499/ (\$422,069) / \$6,978,430

7748 / P330068-100000/ Joint Safety Administrative Building / \$0 / \$422,069 / \$422,069

**SECTION 3.** That from the unappropriated monies 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 ended December 31, 2021, the sum of \$5,750,000 is appropriated in Fund 4430 (Special Income Tax), Dept-Div 2201 (City Auditor), in Object Class 10 (Transfer Out Operating) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the transfer of \$5,750,000.00, or so much thereof as may be needed, is hereby authorized from Fund 4430 (Special Income Tax), Dept-Div 2201 (City Auditor) to Fund 7701 (Public Safety Voted Bond Fund), Dept-Div 4550 (Finance) per the account codes in the attachment to this ordinance.

**SECTION 5.** That the transfer of \$422,069.00, or so much thereof as may be needed, is hereby authorized within Fund 7748 (General Permanent Improvement Fund) from Dept-Div 4550 (Finance) Project P330068-100000 Joint Safety Administrative Building, Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 6.** That from the unappropriated monies 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 ended December 31, 2021, the sum of \$5,750,000 is appropriated in Fund 7701 (Public Safety Voted Bond Fund), Dept-Div 4550 (Finance), Project P330068-100000, Joint Safety Administrative Building, in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 7.** That from the unappropriated monies 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 ended December 31, 2021, the sum of \$422,069.00 is appropriated in Fund 7748 (General Permanent Improvement fund), Dept-Div 4550 (Finance), Project P330068-100000, Joint Safety Administrative Building, in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 8.** That the expenditure of \$5,750,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7701 (Safety Voted Bond Fund), in Dept-Div 4550, P330068-100000 (Police and Fire Joint Safety Administrative Building), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 9.** That the expenditure of \$422,069.00 or so much thereof as may be needed, is hereby authorized in Fund 7748 in Dept-Div 4550, P330068-100000 (Police and Fire Joint Safety Administrative Building), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

**SECTION 10.** That upon obtaining other funds for this project for the Department of Finance and Management, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 4.

**SECTION 11.** 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 \$5,750,000 (the "Obligations").

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 12.** That the monies in the foregoing sections shall be paid upon order of the Director of Finance and Management, 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 13.** 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 14.** 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 15.** 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 16.** That for reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be enforced from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.