



Legislation Text

File #: 1738-2007, **Version:** 1

Background: This legislation authorizes the Public Service Director to enter into a \$17,400.00 Guaranteed Maximum Cost Agreement with Nationwide Realty Investors, Ltd., CC#: 311486309, expiring 4/5/09, for the relocation of an existing traffic signal next to the North Bank Park Condominium Tower at the northwest corner of Neil Avenue and Spring Street for the Transportation Division. The private development project associated with this work within the public right-of-way involves the construction of a \$50 million, 20-story, 109-unit residential tower at 300 W. Spring Street. Public streetscape improvements include the relocation of the westbound traffic signal at the Neil Avenue and Spring Street intersection. The traffic signal is in close proximity to the face of the North Bank Park Condominium Tower being constructed on the northwest corner of this intersection. The traffic signal will be moved from the north side to the south side of Spring Street in order to clear pedestrian access at the northwest corner of Neil Avenue and Spring Street and to position the traffic signal mast arm clear of the face of the building.

More information is contained on the attached Detailed Project Description document. The Development Department has identified and negotiated this Agreement and the Public Service Department will enter into contract and administer the Agreement. The formal competitive bidding requirements of Chapter 329 of the City Code are being waived for the procurement of engineering and construction services pursuant to this Guaranteed Maximum Cost Agreement.

Fiscal Impact: This expense is budgeted in the 1995, 1999, 2004 Voted Streets and Highways Fund, Fund 704, Downtown Streetscape project.

To authorize the Public Service Director to enter into a \$17,400.00 Guaranteed Maximum Cost Agreement with the Nationwide Realty Investors, Ltd. pursuant to Section 186 of the Columbus City Charter for the relocation of an existing traffic signal next to the North Bank Park Condominium Tower at the northwest corner of Neil Avenue and Spring Street for the Transportation Division; to waive the competitive bidding requirements of the Columbus City Code, 1959; to authorize the expenditure of \$17,400.00 from the Voted 1995, 1999, 2004 Streets and Highways Fund; and to declare an emergency. (\$17,400.00)

WHEREAS, the need exists to enter into a Guaranteed Maximum Cost Agreement for the relocation of an existing traffic signal next to the North Bank Park Condominium Tower at the northwest corner of Neil Avenue and Spring Street, and

WHEREAS, this project will provide an improvement to the public right-of-way that will greatly enhance the appearance of the public pedestrian environment, and

WHEREAS, this public streetscape improvement will complement the adjacent \$50 million North Bank Park Condominium Tower private sector investment at 300 W. Spring Street; and

WHEREAS, in order to allow these public streetscape projects and their adjacent private sector projects to proceed on schedule, streetscape construction agreements were negotiated, conditioned on the City's ability to fund new projects and City Council approval of the necessary legislation; and

WHEREAS, it is in the best interest of the city to waive the formal competitive bidding requirements of the Columbus City Code,

1959, and that this agreement be awarded in accordance with Section 186 of the Columbus City Charter; and

WHEREAS, an emergency exists in the usual daily operation of the Public Service Department, Transportation Division, in that it is immediately necessary that this Guaranteed Maximum Cost Agreement be authorized to provide for timely streetscape construction, 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 Public Service Director be and is hereby authorized to enter into a Guaranteed Maximum Cost Agreement with Nationwide Realty Investors, Ltd. pursuant to Section 186 of the Columbus City Charter for the relocation of an existing traffic signal next to the North Bank Park Condominium Tower at the northwest corner of Neil Avenue and Spring Street for the Transportation Division in the amount of \$17,400.00.

SECTION 2. That in accordance with Section 329.27 of the Columbus City Code, City Council has determined that it is in the best interest of the City of Columbus that the formal competitive bidding requirements of Chapter 329 be and are hereby waived for the procurement of engineering and construction services pursuant to this Guaranteed Maximum Cost Agreement.

SECTION 3. That the expenditure of \$17,400.00, or so much thereof as may be necessary be and is hereby authorized and approved as follows:

Division/ Fund / OCA Code / O.L. 1 Code / O.L. 3 Code / Project No. / Project Title / Amount

59-09/ 704 / 530801 / 06 / 6631/ 530801 / Downtown Streetscape Improvements / \$17,400.00

SECTION 4. 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 5. That for the reasons stated in the preamble thereto, which is hereby made a part hereof, this ordinance is 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.