



Legislation Text

File #: 1678-2013, **Version:** 1

BACKGROUND: This legislation authorizes the Recreation and Parks Director to establish a purchase order and expend funds for the Olentangy Water Trail Project within the City of Columbus. Work to include the installation of small personal watercraft put-ins at various locations along the Olentangy River. The purchase order will be established pursuant to the State Requirements contract with McDaniels Construction Corp. Ordinance 0582-87 authorizes City agencies to participate in the Ohio Department of Administrative Services (DAS) cooperative contracts when deemed to be “cost effective” to the City of Columbus. This will allow the Recreation and Parks to proceed with the Olentangy water trail project.

This ordinance will allow for a pilot program for the Olentangy Water Trail Project utilizing an established state term contract, based on the concept of Job Order Contracting (JOC). The JOC allows the City to get commonly encountered construction projects done using a different contracting method. By using JOC, the City hopes to reduce costs, time and errors for certain renovation, repair and construction projects. The State of Ohio bid JOC through the use of a unit price book, which provides for preset costs for specific construction tasks. Winning bidders were selected based on their mark-up or discount from these preset costs. The Department of Recreation and Parks wishes to use this contract to measure its effectiveness in comparison to the traditional construction procurement method.

Emergency action is requested to have the water trail in place for 2013 use.

Fiscal Impact: The cost of the contract is \$64,625.39 which includes a \$15,000 project contingency. Funding is currently available in the Special Income Tax Fund 430 and part of the Recreation and Parks 2013 CIB.

To authorize the Recreation and Parks Director to issue a purchase order with McDaniels Construction Corp. Inc, for the Olentangy Water Trail Project, within the City of Columbus, per the terms and conditions of the State of Ohio Requirements Contract; to authorize and direct the City Auditor to appropriate and transfer \$64,625.39 from the Special Income Tax Fund to the Recreation and Parks Voted Bond Fund; to authorize the City Auditor to appropriate \$64,625.39 within the Recreation and Parks Bond Fund; to authorize the City Auditor to transfer \$64,625.39 within the Voted Recreation and Parks Bond Fund 702; to amend the 2013 Capital Improvements Budget Ordinance 0645-2013, to authorize the expenditure of \$64,625.39 from the Recreation and Parks Bond Fund; ; and to declare an emergency. (\$64,625.39)

WHEREAS, the Department of Recreation and Parks has a need to make improvements to the Olentangy water trail within the City of Columbus and a state requirements contract is available for construction projects; and

WHEREAS, funds are being moved to alternate projects within Fund 702 to establish correct funding project detail location for the Olentangy Water Trail 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 \$64,625.39; 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 expend funds for the Olentangy water trail improvements within the City of Columbus; and

WHEREAS, an emergency exists in the usual daily operation of the Recreation and Parks Department, in that it is immediately necessary to issue a purchase order for Olentangy Water Trail Improvements within the City of Columbus, to ensure that trail is open for 2013 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 issue a purchase order per the terms and conditions of State Requirements Contract as follows:

Contract No. OH03MBA-10162012-MCC
McDaniels Construction Corp.
Contract Compliance No. 31-1145406
4/19/2012 - 4/19/2014
Repair and Maintenance - Job Order Contracting (JOC)
Object Level 3: 6621

SECTION 2. That the sum of \$64,625.39 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 / 510017-100455 / Olentangy Water Trail/ 6621 /717455 / \$64,625.39

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 510017-100455/ Olentangy Water Trail/\$200,000 (SIT Supported)

Fund 702; Project 510017-100000/ Park Improvements/\$718,000 (SIT Supported)

AMENDED TO:

Fund 702; Project 510017-100455/ Olentangy Water Trail/\$114,626 (SIT Supported)

Fund 702; Project 510017-100000/ Park Improvements/\$803,374 (SIT Supported)

SECTION 5. That the expenditure of \$64,625.39 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
510017-100455 (Olentangy Water Trail)	717455	6621	\$64,625.39

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 \$64,625.39 (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.

