



## Legislation Text

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**File #:** 3477-2023, **Version:** 1

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**BACKGROUND:** In 2021, the City of Columbus (“the City”) Department of Finance and Management entered into a grant agreement with the Capital Crossroads Special Improvement District of Columbus Inc. (“Capital Crossroads Special Improvement District”), authorized by Ordinance 0968-2021, for the Downtown Permanent Public Restrooms Project. The purpose of the project is to develop permanent public restroom facility structures in the City’s downtown area with funding provided to the City from the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) supplemental Community Development Block Grant Coronavirus (CDBG-CV) funds through the United States Department of Housing and Urban Development (HUD).

Ordinance 0968-2021 authorized an expenditure of up to \$875,000.00 from CDBG-CV funds. After reassessing funding and community needs related to CDBG-CV funding, Ordinance 1637-2022 authorized an increase in CDBG-CV funding by \$403,635.00 for the Downtown Permanent Public Restrooms Project in order to construct three public restrooms in three locations in downtown Columbus, and authorized a modification to the existing subaward with Capital Crossroads Special Improvement District to increase the budget to a total \$1,278,635.00.

Ordinance 1201-2021 authorized the City of Columbus to accept and appropriate approximately \$187,030,138.00 of federal American Rescue Plan Act (ARPA) funds, as signed into law by the President of the United States on March 11, 2021.

Ordinance 1443-2023 authorized the Director of the Department of Finance and Management to execute a second modification to the existing subaward with Capital Crossroads Special Improvement District for the Downtown Permanent Public Restrooms Project to increase the budget by \$789,514.00 using ARPA funds, with a total project cost of \$2,068,149.00 for the installation of three permanent public restrooms in the downtown area. Due to construction delays, Ordinance 1443-2023 authorized the Director of the Department of Finance and Management to extend the contract period of performance with Capital Crossroads Special Improvement District to December 31, 2023. The Ordinance also authorized the expenditure of \$789,514.00 from ARPA (Fund 2209) for the Downtown Permanent Public Restrooms Project.

This Ordinance authorizes the Department of Finance and Management to execute a third Subaward Agreement Modification with Capital Crossroads Special Improvement District in order to extend the Downtown Permanent Public Restrooms Project’s period of performance through April 1, 2024 and to modify the agreement’s budget. The budget modification will lessen the funding allocated for Administration and increase the funding allowed for Installation and Construction by the amount of \$10,000. These funds will be utilized for the purchase and installation of large flower planters. The flower planters will be located near the public restrooms. The purpose of the flower planters is to provide physical barriers to protect the public restrooms from vehicular damages. The Capital Crossroads Special Improvement District will maintain the flower planters per an agreement currently being drafted with the Department of Development. No additional funds are being committed to the project as a result of this modification.

**FISCAL IMPACT:** There is no fiscal impact resulting from this ordinance. No additional funds are being committed to the project as a result of the Subaward Agreement Modification.

**EMERGENCY DESIGNATION:** Emergency action is requested to allow the financial transaction to be posted in the City’s accounting system as soon as possible and to ensure immediate funding can be provided to Capital Crossroads Special Improvement District, in order for the City to meet federal expenditure deadlines.

To authorize the Director of the Department of Finance and Management to modify the existing subaward with Capital Crossroads Special Improvement District to reallocate budgeted funds; to authorize the Director of the Department of Finance and Management to extend the contract period of performance with Capital Crossroads Special Improvement District; and to declare an emergency.

**WHEREAS**, Ordinance 0968-2021 allowed the City to enter into a Subaward Agreement with the Capital Crossroads Special Improvement District for the Installation and Construction as well as administration of the Downtown Permanent Public Restrooms Project; and

**WHEREAS**, Ordinance 1637-2022 allowed for the first modification of the Subaward Agreement with the Capital Crossroads Special Improvement District, in order to increase the total project budget and extend the period of performance; and

**WHEREAS**, Ordinance 1443-2023 allowed for the second modification of the Subaward Agreement with the Capital Crossroads Special Improvement District, in order to increase the total project budget and extend the period of performance; and

**WHEREAS**, a third subaward modification is necessary to amend the project's budget to lessen the funding allocated for Administration and increase the funding allowed for Installation and Construction by the amount of \$10,000; and

**WHEREAS**, this third subaward modification will allow for the funding necessary for the purchase and installation of flower planters near the newly installed downtown permanent public restrooms in order to protect the structures from vehicular damages; and

**WHEREAS**, a third subaward modification is necessary to amend the project's period of performance through April 1, 2024 so that all project elements, including the setting of the barrier flower planters, may be completed under the existing subaward; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize this subaward modification in order to meet federal expenditure deadlines, such immediate action being necessary for the preservation of public health, peace, property, safety, and welfare; and **NOW, THEREFORE,**

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Director of the Department of Finance and Management is authorized to modify the Subaward Agreement with Capital Crossroads Special Improvements District to adjust the project budget and extend the period of performance.

**SECTION 2.** 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 approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.