



## Legislation Details (With Text)

**File #:** 0851-2008      **Version:** 1

**Type:** Ordinance      **Status:** Passed

**File created:** 5/12/2008      **In control:** Recreation & Parks Committee

**On agenda:** 6/23/2008      **Final action:** 6/25/2008

**Title:** To authorize the Director of Recreation and Parks to enter into a Guaranteed Maximum Price Contract under Section 186 of the Columbus City Charter with Wagenbrenner Management Company for the demolition and environmental remediation of City owned property at 577-585 West 2nd Avenue, to authorize the expenditure of an amount not to exceed \$117,000; and determining that such actions are necessary pursuant to Section 55(b) of the Charter of the City of Columbus, and to declare an emergency. ( \$117,000)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 0851-2008.pdf

Date	Ver.	Action By	Action	Result
6/25/2008	1	CITY CLERK	Attest	
6/24/2008	1	MAYOR	Signed	
6/23/2008	1	Columbus City Council	Approved	Pass
6/23/2008	1	COUNCIL PRESIDENT	Signed	
6/13/2008	1	City Clerk's Office	Sent back for Clarification/Correction	
6/13/2008	1	Rec & Parks Drafter	Sent to Clerk's Office for Council	
6/11/2008	1	Auditor Reviewer	Reviewed and Approved	
6/11/2008	1	CITY AUDITOR	Reviewed and Approved	
6/11/2008	1	Rec & Parks Drafter	Sent for Approval	
6/11/2008	1	CITY ATTORNEY	Reviewed and Approved	
6/11/2008	1	Rec & Parks Drafter	Sent to Clerk's Office for Council	
6/10/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
6/10/2008	1	Rec & Parks Drafter	Sent for Approval	
6/9/2008	1	Finance Reviewer	Reviewed and Approved	
6/5/2008	1	ODI DIRECTOR	Reviewed and Approved	
6/5/2008	1	Rec & Parks Drafter	Sent for Approval	
6/5/2008	1	Finance Reviewer	Reviewed and Approved	
6/4/2008	1	Rec & Parks Drafter	Sent for Approval	
6/4/2008	1	REC & PARKS DIRECTOR	Reviewed and Approved	
6/4/2008	1	Rec & Parks Drafter	Sent for Approval	
6/4/2008	1	EBOCO Reviewer	Reviewed and Approved	

**Background:** This ordinance authorizes the Director of Recreation and Parks to enter into a Guaranteed Maximum Price Contract under Section 186 of the Columbus City Charter with Wagenbrenner Management Company for the demolition and environmental remediation of the property located at 577-585 West 2nd Avenue ( the former Compton property) and the removal of some structures on the park property along the Scioto River bank south of this property. This work is the first phase of the planned park improvements for the Harrison West Park using bond proceeds provided by the Columbus-Franklin County Finance Authority under the Cooperative Agreement between the Authority and the City authorized by Ordinance No. 1855-2007. Revenues to support the bond issuance are derived from the Harrison West Redevelopment Incentive District created by Ordinance No. 0670-2004. Because this contract is being entered into under Section 186 of the Charter, competitive bidding is not required and therefore it is necessary to waive the competitive bidding procedures of Chapter 329. Wagenbrenner Management Company has been working with the Harrison West Society over the last several years to develop this new park at Perry and First Streets in the Harrison West neighborhood as an adjunct to its redevelopment of the former AC Humko site.

The Contract Compliance Number for Wagenbrenner Management Company is 31-1491162 and compliance is good through 06/04/2010.

**Fiscal Impact:** Funding for the contract will come out of the bond proceeds deposited in Fund No. 788 pursuant to Ordinance No. 1855-2007.

To authorize the Director of Recreation and Parks to enter into a Guaranteed Maximum Price Contract under Section 186 of the Columbus City Charter with Wagenbrenner Management Company for the demolition and environmental remediation of City owned property at 577-585 West 2nd Avenue, to authorize the expenditure of an amount not to exceed \$117,000; and determining that such actions are necessary pursuant to Section 55(b) of the Charter of the City of Columbus, and to declare an emergency. ( \$117,000)

**WHEREAS,** pursuant to Ohio Revised Code Section 5709.40, Tax Increment Financing provisions, Council adopted Ordinance No. 0670-2004, the "TIF Ordinance," creating the Harrison West Redevelopment Incentive District and designating the purchase of properties for parkland and park improvements as public improvements to be funded by TIF revenues; and

**WHEREAS,** pursuant to Ordinance No. 1855-2007 the City and the Columbus-Franklin County Finance Authority entered into a cooperative Agreement providing for the assignment of TIF revenues to the Finance Authority, the issuance of revenues bonds by the Finance Authority and the deposit of the proceeds of that issue with the City for the purposes of buying property for the new Harrison West park and making park improvements; and

**WHEREAS,** pursuant to Ordinance No. 1953-2007, the City, using a portion of these bond proceeds, purchased the property located at 577-585 West 2nd Avenue to add to the Harrison West Park; and

**WHEREAS,** the property was improved with a building that needs to be demolished to allow for future park improvements and an environmental assessment indicates that some remediation of asbestos in the building and contaminated soils need to be removed; and

**WHEREAS,** demolition and remediation preparatory to making park improvements is a Project Purpose under the Cooperative Agreement and the Amended and Restated Trust Indenture between the Columbus-Franklin County Finance Authority and The Huntington National Bank, as Trustee; and

**WHEREAS,** this ordinance will authorize the Director of Recreation and Parks to enter into a Guaranteed Maximum Price Contract not to exceed One Hundred and Seventeen Thousand Dollars (\$117,000.00) with Wagenbrenner Management Company for the demolition and environmental remediation of the City owned property at 577-585 West 2nd Avenue; and

**WHEREAS,** this Ordinance is another in a series of ordinances subsequent to the ordinances referenced above necessary to pay for the public improvements set forth in the TIF Ordinance such that action hereunder is deemed to be necessary pursuant to Section 55 (b) of the Columbus City Charter; now, therefore

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

**Section 1.** That the Director of Recreation and Parks be, and he hereby is authorized to enter into a Guaranteed Maximum Price

Contract, pursuant to Section 186 of the Columbus City Charter, in an amount not to exceed One Hundred Seventeen Thousand Dollars ( \$117,000.00), with Wagenbrenner Management Company for the demolition and environmental remediation of the City owned property at 577-585 West 2nd Avenue.

**Section 2.** That the competitive bidding provisions of Chapter 329 be, and hereby are waived for the procurement of the demolition and environmental remediation services under the Guaranteed Maximum Price Contract.

**Section 3.** That from the unappropriated balance of the Fund No. 788, Dept. No. 51-01; Project No. 788001, OCA Code 788101 and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose, the sum of \$117,000 is hereby appropriated and authorized to expended for the payment of amounts, as and when due, under the Guaranteed Maximum Price Contract.

**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 set forth in the preamble hereto, which is hereby made a part hereof, and in accordance with Section 55(b) of the Charter of the City of Columbus, this Ordinance shall take effect and be in force from and immediately after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.