



## Legislation Details (With Text)

**File #:** 1653-2013      **Version:** 1

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

**File created:** 6/24/2013      **In control:** Public Safety & Judiciary Committee

**On agenda:** 7/15/2013      **Final action:** 7/18/2013

**Title:** To authorize and direct the City Auditor to appropriate and transfer \$7,000,000.00 from the Special Income Tax Fund to the Safety Voted Bond Fund; to authorize the City Auditor to appropriate \$7,000,000.00 within the Safety Voted Bond Fund; to authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Thomas and Marker Construction Company for the construction of a new Fire Station No. 2 at 222 Greenlawn Avenue; to authorize the expenditure of \$8,196,377.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$8,196,377.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
7/18/2013	1	CITY CLERK	Attest	
7/16/2013	1	MAYOR	Signed	
7/15/2013	1	COUNCIL PRESIDENT	Signed	
7/15/2013	1	Columbus City Council	Approved	Pass

**BACKGROUND:** This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Thomas and Marker for the construction of a new Fire Station No. 2 at 222 Greenlawn Avenue. For years, a number of city divisions and departments were housed in buildings on this site including Recreation & Parks, Columbus Fire Division, Support Services Division, Weights & Measures, and Fleet Management. Over the past decade these city entities have moved to newer or renovated locations. Earlier this year all the buildings at this location were demolished and the land was readied for the construction of this Fire Station.

Currently, Fire Station 2 is co-located with Fire Station 3 at 150 E Fulton Street. It was built in 1962 and is reaching the end of its useful life for operational needs. The new station has been designed to accommodate all the equipment, apparatus, and personnel currently housed at Fire Station 2/3, which in addition to a Battalion Chief, a Ladder company, a medic, and two Engine companies, includes a Heavy Rescue vehicle, the Bomb Squad and Fire Dive and Rescue personnel. The Safety Department plans to eventually demolish the current Fire Station 2/3 and rebuild a more efficient fire station at 150 E. Fulton Street. When completed, some firefighters, apparatus, and equipment will return to the rebuilt Fire Station at 150 E. Fulton Street location. This new Fire Station on Greenlawn Avenue, as well as the rebuilt 150 E. Fulton Street station, will allow both stations to serve the southern portions of downtown as well as various neighborhoods south of downtown, including the area encompassing German Village.

The facility has been designed to a LEED Silver level, with a number of energy efficient systems such as energy efficient lighting, plumbing fixtures that minimize water use, HVAC equipment, a highly insulated roof with a reflective surface, high R value building insulation, and energy efficient windows. These elements should significantly reduce its annual

operational cost - particularly with respect to its current location at Fulton Street.

Formal bids were solicited and six companies submitted bids on June 20, 2013 as follows (0 FBE, 0 MBE):

Thomas and Marker Construction Company	\$8,196,377.00
Gutknecht Construction	\$8,267,500.00
Dunlop and Johnston, Inc.	\$8,349,371.00
Elford, Inc.	\$8,382,776.00
Barton Malow Company	\$8,400,000.00
Charter Hill Construction, Inc.	\$8,678,840.00

The Office of Construction Management recommends the bid award be made to the lowest responsive, most responsible, and best bidder, Thomas and Marker Construction Company.

**Emergency action** is requested to ensure the construction of the new fire station begins as soon as possible.

Thomas and Marker Construction Company Contract Compliance No. 34-4476858, expiration date February 23, 2014.

**FISCAL IMPACT:** This project is funded in the 2013 Capital Improvements Budget. Bonds have not yet been sold for this project; therefore it is necessary to certify funds needed in the amount of \$7,000,000.00 against the Special Income Tax Fund. Upon sale of the bonds, this will be reimbursed. The balance of \$1,196,377.00 will come from existing cash within the Safety Voted Bond Fund.

To authorize and direct the City Auditor to appropriate and transfer \$7,000,000.00 from the Special Income Tax Fund to the Safety Voted Bond Fund; to authorize the City Auditor to appropriate \$7,000,000.00 within the Safety Voted Bond Fund; to authorize the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Thomas and Marker Construction Company for the construction of a new Fire Station No. 2 at 222 Greenlawn Avenue; to authorize the expenditure of \$8,196,377.00 from the Safety Voted Bond Fund; and to declare an emergency. (\$8,196,377.00)

**WHEREAS**, the Finance and Management Department, Office of Construction Management needs to enter into a contract for the construction of a new Fire Station No. 2 at 222 Greenlawn Avenue; and

**WHEREAS**, Thomas and Marker Construction Company is the lowest, responsive, most responsible, and best bidder; 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 \$7,000,000.00; 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**, an emergency exists in the usual daily operation of the Department of Finance and Management, Office of Construction Management, in that it is immediately necessary to authorize the Finance and Management Director to enter

into a contract with Thomas and Marker Construction Company for the construction of a new Fire Station No. 2 at 222 Greenlawn Avenue, to ensure the construction of the new fire station begins as soon as possible to meet the operational needs of the Division of Fire, to provide necessary services to City residents, thereby protecting the public health, property, peace, safety, and welfare; now, therefore:

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

**SECTION 1.** The sum of \$7,000,000.00 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 2.** That the City Auditor is hereby authorized to transfer and appropriate said funds in SECTION 1 to the Safety Voted Bond Fund, Fund 701 as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount  
701/340126-100000/Fire Station #2 Relocation/06-6620/701126/\$7,000,000.00

**SECTION 3.** That the Director of Finance and Management is hereby authorized to enter into a contract on behalf of the Office of Construction Management with Thomas and Marker Construction Company for the construction of a new Fire Station No. 2 at 222 Greenlawn Avenue.

**SECTION 4.** That the monies appropriated in the foregoing Section 2 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 5.** 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 2.

**SECTION 6.** 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 7.** 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 \$7,000,000.00 (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 8.** That for the purpose of paying the cost of this contract, the sum of \$8,196,377.00, or so much thereof as may be needed, is hereby authorized to be expended from the Safety Voted Bond Fund as follows:

Fund / Project Number / Project Name / O.L. 01-03 Codes / OCA / Amount  
701/340126-100000/Fire Station #2 Relocation/701126/06-6620/\$8,196,377.00

**SECTION 9.** 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 10.** 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 11.** 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 ten days after passage if the Mayor neither approves nor vetoes the same.