



## Legislation Details (With Text)

**File #:** 1595-2014      **Version:** 1

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

**File created:** 6/25/2014      **In control:** Public Service & Transportation Committee

**On agenda:** 7/14/2014      **Final action:** 7/17/2014

**Title:** To amend the 2014 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service, on behalf of the Department of Development, to amend the Guaranteed Maximum Reimbursement Agreements amount with Long and High Loan Holdings, LLC to design and construct the Downtown Streetscape - Atlas Building project; and to authorize the expenditure of \$35,000.00 from the Streets and Highways Bonds Fund; and to declare an emergency. (\$35,000.00).

### Sponsors:

### Indexes:

### Code sections:

### Attachments:

Date	Ver.	Action By	Action	Result
7/17/2014	1	CITY CLERK	Attest	
7/16/2014	1	MAYOR	Signed	
7/14/2014	1	COUNCIL PRESIDENT	Signed	
7/14/2014	1	Columbus City Council	Approved	Pass

## 1. BACKGROUND

Ordinance No. 0508-2014 authorized the Director of Public Service, on behalf of the Department of Development, to enter into Guaranteed Maximum Reimbursement Agreements with Long and High Loan Holdings, LLC, for up to \$250,000.00 to design and construct the Downtown Streetscape - Atlas Building project.

The Director of Public Service has already entered into a Design Guaranteed Maximum Reimbursement Agreement, under the authority of Ordinance 0508-2014, in the amount of \$56,204.91. It was anticipated that the Director of Public Service would enter into a Construction Guaranteed Maximum Reimbursement Agreement, under the authority of Ordinance 0508-2014, in the amount of \$193,795.09.

Due to unforeseen conditions, additional work is required for the project that will stabilize a section of sidewalk impacted by the Atlas Building's underground vault that encroaches into the City's right-of-way. The estimated cost for this additional work is \$83,659.00. The Department of Development has committed up to \$35,000.00 for this additional work.

This ordinance authorizes the Department of Public Service to amend the total dollar amount of the Guaranteed Maximum Reimbursement Agreements by adding an additional \$35,000.00, for a total reimbursement amount of up to \$285,000.00.

## 2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Long and High Loan Holdings, LLC is 463121374. The expiration date is 2/5/16.

## 3. FISCAL IMPACTS

Funds in the amount of \$35,000.00 are available for this project in the Streets and Highways G.O. Bond Fund within the Department of Development. An amendment to the Capital Improvements fund is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

#### **4. EMERGENCY DESIGNATION**

The Departments of Development and Public Service is requesting this ordinance to be considered an emergency measure in order to allow design and construction of the project to continue and maintain the project schedule and meet community commitments.

To amend the 2014 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the Director of Public Service, on behalf of the Department of Development, to amend the Guaranteed Maximum Reimbursement Agreements amount with Long and High Loan Holdings, LLC to design and construct the Downtown Streetscape - Atlas Building project; and to authorize the expenditure of \$35,000.00 from the Streets and Highways Bonds Fund; and to declare an emergency. (\$35,000.00).

**WHEREAS**, Ordinance No. 0508-2014 authorized the Director of Public Service to enter into Guaranteed Maximum Reimbursement Agreements with Long and High Loan Holdings, LLC, for up to \$250,000.00 to design and construct the Downtown Streetscape - Atlas Building project; and

**WHEREAS**, due to unforeseen conditions, additional work is required for the project to stabilize a section of sidewalk impacted by the Atlas Building's underground vault that encroaches into the City's right-of-way; and

**WHEREAS**, the estimated cost for this additional work is \$83,659.00, of which the Department of Development has committed up to \$35,000.00; and

**WHEREAS**, it is necessary to authorize an amendment to the 2014 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, this ordinance authorizes the Department of Public to amend the total dollar amount of the Guaranteed Maximum Reimbursement Agreements by adding an additional \$35,000.00, for a total reimbursement amount of \$285,000.00, for the design and construction of the Downtown Streetscape - Atlas Building project.

**WHEREAS**, an emergency exists in the usual daily operation of the Departments of Development and Public Service, in that it is immediately necessary to authorize amending the total dollar amount of the Guaranteed Maximum Reimbursement Agreements and the expenditure of such funds to maintain the project schedule and meet community commitments; thereby immediately 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 2014 Capital Improvement Budget, authorized by Ordinance 0683-2014 be and is hereby amended to provide sufficient budget authority for the appropriate projects authorized within this ordinance as follows:

##### Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended

704/ 590415-100012/ Public Private Partnership (3P) Projects (Voted 2013)/ \$3,551,034.00/ (\$35,000.00)/ \$3,516,034.00  
704 / 530801-100011 / Downtown Streetscape - Atlas Building (Voted 2013) / \$0.00 / \$35,000.00 / \$35,000.00

**SECTION 2.** That the City Auditor be and is hereby authorized to transfer cash and appropriation within the Streets and Highways G.O. Bonds Fund, No. 704, as follows::

Transfer from:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704/ 590415-100012/ Public Private Partnership (3P) Projects/ 06-6600/ 741512 / \$35,000.00

Transfer to:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530801-100011 / Downtown Streetscape - Atlas Building / 06-6600 / 748011 / \$35,000.00

**SECTION 3.** That the Director of Public Service be and hereby is authorized to amend the total dollar amount of the Guaranteed Maximum Reimbursement Agreements with Long and High Loan Holdings, LLC, 88 East Broad Street, Suite 1750, Columbus, OH 43215, pursuant to Section 186 of the Columbus City Charter, by adding an additional \$35,000.00, for a total reimbursement amount of \$285,000.00, for the design and construction of the Downtown Streetscape - Atlas Building project.

**SECTION 4.** That for the purpose of paying the cost of these contracts the sum of up to \$35,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways Bond Fund and Build America Bond Fund as follows:

Fund / Project / Project Name / O.L. 01-03 Codes / OCA / Amount

704 / 530801-100011 / Downtown Streetscape-Atlas Building / 06-6631 / 748011 / \$35,000.00

**SECTION5.** 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.

**SECTION6.** 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.

**SECTION7.** 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 8.** 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.