



## Legislation Details (With Text)

**File #:** 2064-2014      **Version:** 1

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

**File created:** 9/4/2014      **In control:** Public Service & Transportation Committee

**On agenda:** 10/20/2014      **Final action:** 10/22/2014

**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 Bonds Fund; to authorize the Director of Public Service to enter into Guaranteed Maximum Reimbursement Agreements with CDS Wall Street Construction, Inc. for up to \$265,000.00 to design and construct Phase 1 and design Phase 2 improvements to Wall Street from West Main Street to West Rich Street; and to authorize the expenditure of \$265,000.00 from the Streets and Highways Bonds Fund; and to declare an emergency (\$265,000.00).

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
10/22/2014	1	CITY CLERK	Attest	
10/21/2014	1	MAYOR	Signed	
10/20/2014	1	COUNCIL PRESIDENT	Signed	
10/20/2014	1	Columbus City Council	Approved	Pass

### 1. BACKGROUND

This ordinance seeks authorization for the Director of the Department of Public Service to enter into Guaranteed Maximum Reimbursement Agreements with CDS Wall Street Construction, Inc., for up to \$265,000.00 to design and construct Phase 1 and design Phase 2 improvements to Wall Street from West Main Street to West Rich Street.

CDS Wall Street Construction, Inc. ("CDS") is undertaking a \$20 million renovation of the historic Julian building at 272 South Front Street. Built in 1921, the former shoe factory will be converted into 90 market-rate loft apartment units with parking on the lower levels of the building. Building renovation began in Summer 2013 and is anticipated to be completed in Spring 2015.

In support of the Julian building renovation, the city has engaged CDS in a Public-Private Partnership (3P) through which the Department of Development has committed \$1,099,157.90 toward improvements to Wall Street from West Main Street to West Rich Street. Currently in the design stage, these improvements will be constructed in two phases in an effort to more efficiently coordinate the Julian building renovation with right-of-way improvements to Wall Street.

Phase 1 will be constructed in 2014 as part of a private plan that will make improvements to Wall Street from West Main Street to a point 107 feet north of the West Main Street centerline. Phase 2 is anticipated be constructed in 2015 as part of a City capital improvement project known as Downtown Streetscapes - Casto Julian - Wall Street, CIP No. 530801-100013, that will make improvements to Wall Street from the northern end of the Phase 1 project limits to West Rich Street.

The scope of improvements for Phase 1 and Phase 2, improvements to Wall Street from West Main Street to West Rich

Street, include, but are not limited to, the reconstruction of Wall Street from West Main Street to West Rich Street. The roadway will be rebuilt with brick pavers on a concrete base, matching aspects of the alley section to the north between West Rich Street and West Town Street. Granite curbing will be installed on the both sides of the roadway. Brick paver sidewalk will be installed on both sides of the roadway. Street lighting will also be installed. The existing waterline and services will be evaluated and modified. Portions of the proposed sidewalk will extend beyond the existing right-of-way. Easements are to be acquired to accommodate the proposed sidewalk.

The Department of Public Service's policy is to publicly advertise 3P projects following Columbus City Code Section 329, but this policy requirement has been waived for Phase 1 because CDS has entered into a 901 Agreement with the Department of Public Service for private construction, as required by Columbus City Code Section 901.

## **2. CONTRACT COMPLIANCE INFORMATION**

The contract compliance number for CDS Wall Street Construction, Inc. is 471339136. The expiration date is 8/21/16.

## **3. FISCAL IMPACTS**

Funds in the amount of \$265,000.00 are available for this project in the Streets and Highways Bonds Fund, fund 704, within the Department of Development. An amendment to the 2014 Capital Improvements fund is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

## **4. EMERGENCY DESIGNATION**

Emergency action is requested to provide necessary design and construction funding and prevent unnecessary delays in the Departments of Public Service's Capital Improvement Program.

To amend the 2014 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bonds Fund; to authorize the Director of Public Service to enter into Guaranteed Maximum Reimbursement Agreements with CDS Wall Street Construction, Inc. for up to \$265,000.00 to design and construct Phase 1 and design Phase 2 improvements to Wall Street from West Main Street to West Rich Street; and to authorize the expenditure of \$265,000.00 from the Streets and Highways Bonds Fund; and to declare an emergency (\$265,000.00).

**WHEREAS**, The City of Columbus and CDS Wall Street Construction, Inc. are engaged in a Public-Private Partnership (3P) through which the Department of Development has committed \$1,099,157.90 toward improvements to Wall Street from West Main Street to West Rich Street in support of the renovation of the Julian building; and

**WHEREAS**, improvements to Wall Street from West Main Street to West Rich Street will be designed and constructed in two phases to efficiently coordinate the Julian Building renovation with right-of-way improvements to Wall Street; and

**WHEREAS**, Phase 1 improvements to Wall Street will be constructed from West Main Street to a point 107 feet north of Main Street and Phase 2 improvements will be constructed from the northern end of the Phase 1 project limits to West Rich Street as part of a City capital improvement project known as, Downtown Streetscapes - Casto Julian - Wall Street, CIP No. 530801-100003; and

**WHEREAS**, the scope of improvements for Phase 1 and Phase 2 improvements to Wall Street from West Main Street to West Rich Street include, but are not limited to, the reconstruction of Wall Street from West Main Street to West Rich Street. The roadway will be rebuilt with brick pavers on a concrete base, matching aspects of the alley section to the north between West Rich Street and West Town Street. Granite curbing will be installed on the both sides of the roadway. Brick paver sidewalk will be installed on both sides of the roadway. Street lighting will also be installed. The existing waterline and services will be evaluated and modified. Portions of the proposed sidewalk will extend beyond the existing right-of-way. Easements are to be acquired to accommodate the proposed sidewalk; and

**WHEREAS**, Phase 1 improvements anticipate to be constructed in 2014 and Phase 2 improvements constructed in 2015; and

**WHEREAS**, the Department of Public Service has identified the need to enter into Guaranteed Maximum Reimbursement Agreements with CDS Wall Street Construction, Inc. to design and construct Phase 1 and design Phase 2 improvements to Wall Street from West Main Street to West Rich Street; 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 Director of the Department of Public Service to enter into Guaranteed Maximum Reimbursement Agreements with CDS Wall Street Construction, Inc., in an amount up to \$265,000.00 to design and construct Phase 1 and design Phase 2 improvements to Wall Street from West Main Street to West Rich Street; and

**WHEREAS**, the Department of Public Service's policy is to publicly advertise 3P projects following Columbus City Code Section 329, but this policy requirement has been waived for Phase 1 because CDS has entered into a 901 Agreement with the Department of Public Service for private construction, as required by Columbus City Code Section 901; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize this contract in order to prevent unnecessary delays in the Department of Public Service's Capital Improvement Program, 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 2014 Capital Improvements 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 / \$3,363,267 / (\$265,000) / \$3,098,267

704 / 530801-100013 / Downtown Streetscapes-Casto Julian-Wall Street / \$0 / \$265,000 / \$265,000

**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 / \$265,000.00

Transfer to:

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

704 / 530801-100013 / Downtown Streetscapes-Casto Julian-Wall Street / 06-6600 / 748113 / \$265,000.00

**SECTION 3.** That this ordinance authorizes the Director of the Department of Public Service to enter into Guaranteed Maximum Reimbursement Agreements with CDS Wall Street Construction, Inc., 250 Civic Center Drive, Columbus, Ohio 43215, pursuant to Section 186 of the Columbus City Charter, to design and construct Phase 1 and design Phase 2 improvements to Wall Street from West Main Street to West Rich Street in an amount up to \$265,000.00.

**SECTION 4.** That this ordinance waives the Department of Public Service's policy of following Chapter 329 of the City Code with respect to the procurement of construction services by CDS for the Phase 1 improvements because CDS has entered into a 901 Agreement with the Department of Public Service for private construction, as required by Columbus

City Code Section 901.

**SECTION 5.** That for the purpose of paying the cost of this contract the sum of up to \$265,000.00 or so much thereof as may be needed, is hereby authorized to be expended from the Streets and Highways Bond Fund as follows:

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

704 / 530801-100013 / Downtown Streetscapes-Casto Julian-Wall Street / 06-6631 / 748113 / \$265,000.00

**SECTION 6.** 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 7.** 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 8.** 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 9.** 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.