



Legislation Details (With Text)

File #: 1039-2020 **Version:** 1

Type: Ordinance **Status:** Passed

File created: 4/21/2020 **In control:** Public Service & Transportation Committee

On agenda: 5/18/2020 **Final action:** 5/21/2020

Title: To authorize the Director of Public Service to enter into a contribution agreement with and to accept funding from Metro Development LLC to support the construction of certain improvements as part of the Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road project; to authorize the City Auditor to appropriate additional deposits received and to establish auditor certificates for the expenditure of these additional deposits at the request of the Director of Public Service without additional legislation; and to declare an emergency. (\$0.00)

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
5/21/2020	1	CITY CLERK	Attest	
5/20/2020	1	MAYOR	Signed	
5/18/2020	1	COUNCIL PRESIDENT	Signed	
5/18/2020	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Director of Public Service to enter into agreements with and to accept contributions from Metro Development LLC, an Ohio limited liability company (the “Developer”), relative to the construction of the Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road project (the “Project”). This ordinance also authorizes the Department of Public Service to accept and expend additional deposits from the Developer (if necessary), and authorizes the City Auditor to appropriate these additional deposits and establish auditor certificates for the expenditure of these funds at the request of the Director of Public Service without submitting additional legislation.

The Project encompasses various improvements to Hamilton Road and Central College Road: widening Hamilton Road to the south of Central College Road and extending Hamilton Road approximately 1,100 feet to the north of Central College Road; widening Central College Road for development of turn lanes at the Hamilton Road intersection and at the intersection of High Rock Drive; and installing a new span wire traffic signal at the intersection of Hamilton Road and Central College Road. Other improvements include sidewalk, shared use path, new waterline, storm sewer trunk line, lighting, and pedestrian facilities.

The Developer is developing a residential development west of Hamilton Road and recently commissioned the construction of a new right-in, right-out, entry drive to permit ingress and egress from that location and to support the flow of traffic on North Hamilton Road (the “Additional Improvements”). The City and the Developer are engaged in a Public Private Partnership (3P) to facilitate the construction of the Additional Improvements, which will be funded by a contribution from the Developer in an amount currently estimated to be \$51,075.00. The final amount of the contribution may increase once the work begins if the actual cost of construction should cost more than the current estimate.

2. CONTRACT COMPLIANCE INFORMATION

Metro Development LLC currently does not have a valid contract compliance number and will be required to be contract compliant prior to executing a contribution agreement with the City.

3. FISCAL IMPACT

Metro Development LLC has agreed to provide funding to the Department of Public Service to pay the entire cost of construction, construction administration, and construction inspection of the Additional Improvements. A deposit of \$51,075.00 will be made by the Developer to pay for these costs based upon the initial estimate of the cost of the Additional Improvements. The expenditure of these funds will be legislated at a later date after the contribution agreement has been executed and the deposit received. If actual construction costs exceed the estimated amount, the Developer will deposit additional funds. This ordinance also authorizes the Department of Public Service to accept and expend additional deposits from the Developer (if necessary), and authorizes the City Auditor to appropriate these additional deposits and establish auditor certificates for the expenditure of these funds at the request of the Director of Public Service without submitting additional legislation.

4. EMERGENCY DESIGNATION

Emergency action is requested so as to allow for the execution of necessary agreements and the receipt and acceptance of requisite construction funding as soon as reasonably practicable in order to maintain the current project completion schedule and to meet community commitments.

To authorize the Director of Public Service to enter into a contribution agreement with and to accept funding from Metro Development LLC to support the construction of certain improvements as part of the Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road project; to authorize the City Auditor to appropriate additional deposits received and to establish auditor certificates for the expenditure of these additional deposits at the request of the Director of Public Service without additional legislation; and to declare an emergency. (\$0.00)

WHEREAS, the City is administering the construction of the Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road project (the "Project"), which encompasses various improvements to Hamilton Road and Central College Road, including widening portions of both roadways and extending Hamilton Road just north of Central College Road; and

WHEREAS, Metro Development LLC (the "Developer") is developing a residential development west of Hamilton Road and recently commissioned the construction of a new right-in, right-out, entry drive to permit ingress to and egress from that location and to support the flow of traffic on North Hamilton Road (the "Additional Improvements"); and

WHEREAS, the City and the Developer are engaged in a Public Private Partnership (3P) to facilitate the construction of the Additional Improvements, which will be completed as part of the Project; and

WHEREAS, the Developer shall contribute the funds necessary to construct the Additional Improvements, the estimated cost of which is \$51,075.00; and

WHEREAS, this ordinance authorizes the Director of Public Service to enter into a Contribution Agreement, and future amendments or modifications if needed, with the Developer to support the completion of the Additional Improvements; and

WHEREAS, this ordinance authorizes the Department of Public Service to accept and expend additional deposits from the Developer (if necessary), and authorizes the Auditor's Office to appropriate these additional deposits and establish auditor certificates for the expenditure of these funds at the request of the Director of Public Service without submitting additional legislation.

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director to execute the necessary agreements and to receive and accept the requisite construction funding as soon as reasonably practicable in order to maintain the current project completion schedule and to 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 the Director of Public Service be and hereby is authorized to enter into a Contribution Agreement, and any and future amendments or modifications thereto if needed, with Metro Development LLC, an Ohio limited liability company located at 1433 Grandview Avenue, Columbus, Ohio, 43212, and to accept \$51,075.00 in funding to support the construction of certain improvements as part of the Roadway Improvements - Hamilton Road Extension - Central College to Walnut Road project.

SECTION 2. That the Department of Public Service is authorized to accept and expend additional deposits from the Developer (if necessary) for the construction of Additional Improvements and the City Auditor is authorized to appropriate these additional deposits and establish auditor certificates for the expenditure of these additional deposits at the request of the Director of Public Service without additional legislation.

SECTION 3. 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.