



## Legislation Details (With Text)

**File #:** 2051-2020      **Version:** 1

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

**File created:** 9/7/2020      **In control:** Recreation & Parks Committee

**On agenda:** 10/5/2020      **Final action:** 10/8/2020

**Title:** To authorize the Director of Recreation and Parks to modify the contract with Elford, Inc. for the Champions Golf Course Clubhouse Project; to authorize the Director of Recreation and Parks to execute a settlement agreement and mutual release with Schorr Architects for the Champions Golf Course Clubhouse Project; to authorize the appropriation and the transfer of \$27,405.61 from and within the Recreation and Parks Permanent Improvement Fund; to authorize the expenditure of \$27,405.61 from the Recreation and Parks Permanent Improvement Fund; and to declare an emergency. (\$27,405.61)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Champions Golf Course Clubhouse Modification and Settlement - DAX

Date	Ver.	Action By	Action	Result
10/8/2020	1	CITY CLERK	Attest	
10/7/2020	1	MAYOR	Signed	
10/5/2020	1	COUNCIL PRESIDENT	Signed	
10/5/2020	1	Columbus City Council	Approved	Pass

**Background:** This ordinance is to authorize the Director of the Recreation and Parks Department to modify the contract with Elford, Inc. for the Champions Golf Course Clubhouse Project. This ordinance also is to authorize the Director of the Recreation and Parks Department to execute a settlement agreement and mutual release with Schorr Architects for the Champions Golf Course Clubhouse Project.

Ordinance 0754-2019 authorized the original contract with Elford, Inc., in the amount of \$5,698,410.00 to construct the Champions Golf Course Clubhouse. During construction, costs were identified that exceeded the original budget of the project to remedy items that were a result of errors and omissions of the design professional, Schorr Architects. This legislation will authorize the Director of Recreation and Parks to modify the contract with Elford, Inc. in order to pay for the work needed to remedy these changes resulting from the errors and omissions of the design professional. The modification amount being authorized is \$27,405.61, making a new aggregate total of \$5,725,815.61 for this project. Schorr Architects, the design professional for this project, will pay the Recreation and Parks Department \$42,676.11 to compensate for the additional costs associated with the remedies made by Elford, Inc. upon receipt of an executed settlement agreement.

**Principal Parties:**

Elford, Inc.

1220 Dublin Road, Columbus, OH 43215

D.J. Fett, (614) 545-3130

Contract Compliance Number, Tax ID: 006059, 31-4371060

May 27, 2022

**Emergency Justification:** Emergency action is requested to allow for the modification and settlement agreement to be executed immediately, allowing the Department to accept the funds and complete the project.

**Benefits to the Public:** This project will provide a new facility at an existing City property to allow it to better serve current visitors and also encourage greater use by the community.

**Community Input/Issues:** This project was initiated due to the request of visitors for improved facilities. The features of the new facility will allow for a better user experience for both current and future visitors.

**Area(s) Affected:** Northeast (41)

**Master Plan Relation:** This project supports the Recreation and Parks Departments' Master Plan by expanding revenue-producing amenities and by maximizing the use of existing recreational facilities for enhanced programming and offerings.

**Fiscal Impact:** The expenditure of \$5,698,410.00 was legislated for the Champions Golf Course Clubhouse Project by Ordinance 0754-2019. This ordinance will provide funding that will modify the previously authorized amount by \$27,405.61. \$27,405.61 is budgeted and available from within the Recreation and Parks Permanent Improvement Fund 7747 to meet the financial obligations of this contract modification. The aggregate total amount authorized, including this modification, is \$5,725,815.61.

The deposit of \$42,676.11, or so much thereof as may be needed, will be deposited to the Recreation and Parks Permanent Improvement Fund 7747 as a result of the executed settlement agreement being authorized by this ordinance.

To authorize the Director of Recreation and Parks to modify the contract with Elford, Inc. for the Champions Golf Course Clubhouse Project; to authorize the Director of Recreation and Parks to execute a settlement agreement and mutual release with Schorr Architects for the Champions Golf Course Clubhouse Project; to authorize the appropriation and the transfer of \$27,405.61 from and within the Recreation and Parks Permanent Improvement Fund; to authorize the expenditure of \$27,405.61 from the Recreation and Parks Permanent Improvement Fund; and to declare an emergency. (\$27,405.61)

**WHEREAS,** it is necessary to authorize the Director of the Recreation and Parks to modify the contract with Elford, Inc., previously authorized by Ordinance 0754-2019, for the Champions Golf Course Clubhouse Project; and

**WHEREAS,** it is necessary to execute a settlement agreement and mutual release with Schorr Architects for the Champions Golf Course Clubhouse Project; and

**WHEREAS,** it is necessary to authorize the appropriation and transfer of \$27,405.61 within the Recreation and Parks Permanent Improvement Fund 7747; and

**WHEREAS,** it is necessary to authorize the expenditure of \$27,405.61 from the Recreation and Parks Permanent Improvement Fund 7747; and

**WHEREAS,** an emergency exists in the usual daily operation of the Recreation and Parks Department in that it is immediately necessary to authorize the Director to execute this modification and settlement agreement, allowing the Department to accept the funds and complete the project, adding to the preservation of public health, peace, property, safety, and welfare and, **NOW, THEREFORE**

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

**SECTION 1.** That the Director of Recreation and Parks be and is hereby authorized to modify an existing contract, authorized by Ordinance 0754-2019, with Elford, Inc. for the Champions Golf Course Clubhouse Project. The amount of the modification is \$27,405.61 and the aggregate total amount authorized, including this modification, is \$5,725,815.61.

**SECTION 2.** That the Director of Recreation and Parks be and is hereby authorized to execute a settlement agreement and mutual release with Schorr Architects as a result of the changes to the Champions Golf Course Clubhouse Project. As a result of this settlement, the amount of \$42,676.11, or so much thereof as may be needed, will be deposited to the Recreation and Parks Permanent Improvement Fund 7747.

**SECTION 3.** 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 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 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 6.** That the appropriation of \$27,405.61 is authorized within the Recreation and Parks Permanent Improvement Fund 7747 per the accounting codes in the attachment to this ordinance.

**SECTION 7.** That the transfer of \$27,405.61 or so much thereof as may be needed, is hereby authorized between projects within the Recreation and Parks Permanent Improvement Fund 7747 per the account codes in the attachment to this ordinance.

**SECTION 8.** That the 2019 Capital Improvements Budget Ordinance 1326-2019 is hereby amended as follows in order to provide sufficient budget authority for this ordinance and future projects.

**Fund / Project / Project Name / Current / Change / Amended**

Fund 7747; P747999-100000; Unallocated Balance (Carryover) / \$34,372 / \$36,022 / \$70,394 (to match cash)

Fund 7747; P747999-100000; Unallocated Balance (Carryover) / \$70,394 / (\$27,406) / \$42,988

Fund 7747; P510430-100000; Golf - Champions Clubhouse (Carryover) / \$0 / \$27,406 / \$27,406

**SECTION 9.** That the expenditure of \$27,405.61 or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Permanent Improvement Fund 7747 in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 10.** 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.