Legislation Details (With Text)

File #:	2361-2020 **Version:** 1		
Type:	Ordinance	**Status:**	Passed
File created:	10/12/2020	**In control:**	Public Service & Transportation Committee
On agenda:	11/23/2020	**Final action:**	11/25/2020
Title:	To accept and appropriate funds from Delaware County, Ohio, and NP Capital Management Corporation for construction inspection and administration services in connection with the Roadway Improvement - Lyra Drive Extension project; to authorize the expenditure of those funds for the payment of construction inspection and administration expenses for this project; and to declare an emergency. ($414,216.21)		
Sponsors:			
Indexes:			
Code sections:			
Attachments:	1. 2361-2020 Ordinance Template		

Date	Ver.	Action By	Action	Result
11/25/2020	1	CITY CLERK	Attest	
11/24/2020	1	MAYOR	Signed	
11/23/2020	1	COUNCIL PRESIDENT	Signed	
11/23/2020	1	Columbus City Council	Approved	Pass

1. BACKGROUND

This ordinance authorizes the Director of Public Service to accept deposits to be used for construction inspection and administration from NP Capital Management Corporation and from Delaware County, Ohio, for the Roadway Improvement - Lyra Drive Extension project, to establish an Auditor Certificate Direct Invoice (ACDI) for the payment of construction inspection and administration services for the project, and to expend funds relative to the project on construction inspection and administration. It also authorizes the refund of any funds deposited by NP Capital Management Corporation and Delaware County for construction inspection and administration and unused for this project upon the completion of final accounting for the Roadway Improvement - Lyra Drive Extension project or when the Department of Public Service determines remaining funds are no longer needed for construction inspection and administration for the project and can be refunded.

Per Ordinance 1260-2016, as amended by Ordinance 2631-2018, the City is engaged in a Public-Private Partnership (3P) with NP Capital Management Corporation to facilitate the construction of certain public infrastructure improvements in the Polaris area. One of the improvements encompasses the construction of a roadway extension within the newly dedicated public rights-of-way from Lyra Drive and Costco/Cabela to East Powell Road. A portion of the planned improvements will benefit Delaware County, which has agreed to contribute funding to support that effort.

NP Capital Management Corporation and Delaware County have deposited funds with the Department of Public Service that will be used for construction inspection and administration for the Roadway Improvement - Lyra Drive Extension project. It is necessary to establish an ACDI to allow the funds to be expended for that purpose.

2. CONTRACT COMPLIANCE

Delaware County and NP Capital Management Corporation are not contract compliant with the City. Contract compliance is not required for the City to accept funds from them.

powered by Legistar™

3. FISCAL IMPACT
Funding from Delaware County in the amount of $200,000.00 and from NP Capital Management in the amount of $214,216.21 have been received by the Department of Public Service and deposited in Fund 7766, the Street and Highway Non-Bond Fund, Project P530161-100204 (Roadway Improvement - Lyra Drive Extension). It is necessary to appropriate these funds.

4. EMERGENCY DESIGNATION
Emergency action is requested to allow development of the area to proceed as quickly as possible.

To accept and appropriate funds from Delaware County, Ohio, and NP Capital Management Corporation for construction inspection and administration services in connection with the Roadway Improvement - Lyra Drive Extension project; to authorize the expenditure of those funds for the payment of construction inspection and administration expenses for this project; and to declare an emergency. ($414,216.21)

WHEREAS, the City is engaged in a Public-Private Partnership (3P) with NP Capital Management Corporation to facilitate the construction of certain public infrastructure improvements in the Polaris area; and

WHEREAS, one of the improvements encompasses the construction of a roadway extension within the newly dedicated public rights-of-way from Lyra Drive and Costco/Cabela to East Powell Road; and

WHEREAS, a portion of the planned improvements will benefit Delaware County, which has agreed to contribute funding to support that effort; and

WHEREAS, it is necessary to provide for construction inspection and administration funding for the project; and

WHEREAS, it is necessary to accept and appropriate funds received from Delaware County, Ohio and from NP Capital Management Corporation for construction inspection and administration expenditures relative to the project; and

WHEREAS, an ACDI needs to be established to pay for construction inspection and administration expenses relative to the project; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to accept and expend funds for construction inspection and administration costs for the Roadway Improvement - Lyra Drive Extension project to allow development of the area to proceed as quickly as possible, thereby preserving the public health, peace, 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 accept funds from Delaware County, Ohio, 50 Channing Street, Delaware, Ohio, 43015, for the Roadway Improvement - Lyra Drive Extension project to be used for construction inspection and administration expenses in the amount of $200,000.00.

SECTION 2. That the Director of Public Service be and hereby is authorized to accept funds from NP Capital Management Corporation, 880 Lyra Drive, Suite 550, Columbus, Ohio, 43240, for the Roadway Improvement - Lyra Drive Extension project to be used for construction inspection and administration expenses in the amount of $214,216.21.

SECTION 3. That from the unappropriated monies 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 ended December 31, 2020, the sum of $414,216.21 is appropriated in Fund 7766 (Street & Highway Improvement Non-Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-100204 (Roadway Improvement - Lyra Drive Extension project), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 4. That the expenditure of $414,216.21 or so much thereof as may be needed, is hereby authorized in Fund 7766 (Street & Highway Improvement Non-Bond Fund), Dept-Div 5912 (Design and Construction), Project P530161-

100204 (Roadway Improvement - Lyra Drive Extension project), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 5. That any unused funds deposited by Delaware County, Ohio, and NP Capital Management Corporation for construction inspection and administration expenses for the Roadway Improvement - Lyra Drive Extension project may be refunded upon the completion of final accounting for the Roadway Improvement - Lyra Drive Extension project or when the Department of Public Service determines remaining funds are no longer needed for construction inspection and administration for the project.

SECTION 6. Funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance 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.

powered by Legistar™