



## Legislation Text

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**File #: 2716-2013, Version: 2**

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### **1. BACKGROUND**

This ordinance seeks authorization for the Director of the Department of Public Service to enter into a Design Guaranteed Maximum Reimbursement Agreement with Nationwide Realty Investors, Ltd., for up to \$429,199.15 to design the Roadway Improvements - Nationwide Boulevard Improvements project.

In 2010, the City of Columbus began a five year commitment to provide funding to the SID Public Service Association (the "Downtown SID") for the design and construction of downtown streetscape improvement projects identified by the Downtown SID through a 2009 Downtown Columbus Public Realm Enhancement Study (the "Public Realm Study") for public improvement projects performed within the right of way. Included in the 2010-2015 Capital Improvement Plan, and subsequent capital plans, was a five year commitment totaling \$2,745,000.

Roadway improvements to Nationwide Boulevard from North Front Street to North Fourth Street were identified in the Public Realm Study as one such public improvement project that would "reinvigorate the corner of High Street and Nationwide Boulevard" and "create a new gateway into the Convention Center/Arena District for both automobiles and pedestrians."

The City, Nationwide Realty Investors, Ltd., and the Downtown SID are engaged in a Public-Private Partnership (3P), in which all parties agree to work collaboratively on the funding, design, and construction of roadway improvements on Nationwide Boulevard from North Front Street to North Fourth Street, and additional improvements on High Street from Nationwide Boulevard north to the railroad bridge in support of the ongoing development of the Greater Columbus Convention Center and Arena District.

The scope of public improvements for the Roadway Improvements - Nationwide Boulevard Improvements projects (the "Project"), include, but are not limited to: sidewalk installation and streetscape work on Nationwide Boulevard from North Front Street to North Fourth Street and on High Street from Nationwide Boulevard to the railroad bridge. Existing medians will be converted into planted medians with ground cover and a tree line. Proposed sidewalk will include planted beds with granite curb between the back of curb and the proposed walk. Street lighting will be installed along the roadway edges. Traffic lane widths will be adjusted to accommodate the new median widths. A crosswalk in front of the Drury Inn and Suites will be installed to improve pedestrian traffic and safety. The sidewalks are intended to be installed within the existing right-of-way.

Nationwide Realty Investors, Ltd. will manage the design of the Project and work collaboratively with the City and the Downtown SID throughout the design process.

### **2. CONTRACT COMPLIANCE INFORMATION**

The contract compliance number for Nationwide Realty Investors, Ltd. is 311486309. The expiration date is 11/11/15.

### **3. FISCAL IMPACTS**

Funds in the amount of \$429,199.15 are available for this project in the Streets and Highways Bond Fund within the Department of Public Service. An amendment to the 2013 Capital Improvements fund is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure.

### **4. EMERGENCY DESIGNATION**

The Department of Public Service is requesting this ordinance to be considered an emergency measure in order to allow

for immediate execution of this design guaranteed maximum reimbursement agreement, which is necessary to facilitate the design of these improvements to maintain the project schedule and meet community commitments; thereby immediately preserving the public health, peace, property, safety and welfare.

To amend the 2013 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 to enter into a Design Guaranteed Maximum Reimbursement Agreement with Nationwide Realty Investors, Ltd.; to authorize the expenditure of up to \$429,199.15 from Streets and Highways Bond Fund. ~~; and to declare an emergency. (\$429,199.15)~~

**WHEREAS**, the City of Columbus committed to providing the Downtown SID up to \$2,650,000 over a five year period to fund the design and construction of downtown streetscape improvement projects identified by the Downtown SID through a 2009 Downtown Columbus Public Realm Enhancement Study; and

**WHEREAS**, roadway improvements to Nationwide Boulevard from North Front Street to North Fourth Street were identified in the Public Realm Study as a public improvement project that would “reinvigorate the corner of High Street and Nationwide Boulevard” and “create a new gateway into the Convention Center/Arena District for both automobiles and pedestrians; and

**WHEREAS**, the City of Columbus, Nationwide Realty Investors, Ltd., and the Downtown SID are engaged in a Public-Private Partnership (3P), in which all parties agreed to work collaboratively on the design and construction of roadway improvements on Nationwide Boulevard from North Front Street to North Fourth Street and on High Street from Nationwide Boulevard north to the railroad bridge in support of the ongoing development of the Greater Columbus Convention Center and Arena District; and

**WHEREAS**, public infrastructure improvements for the Roadway Improvements - Nationwide Boulevard Improvements project, include, but are not limited to: sidewalk installation and streetscape work on Nationwide Boulevard from North Front Street to North Fourth Street and on High Street from Nationwide Boulevard to the railroad bridge. Existing medians will be converted into planted medians with ground cover and a tree line. Proposed sidewalk will include planted beds with granite curb between the back of curb and the proposed walk. Street lighting will be installed along the roadway edges. Traffic lane widths will be adjusted to accommodate the new median widths. A crosswalk in front of the Drury Inn and Suites will be installed to improve pedestrian traffic and safety. The sidewalks are intended to be installed within the existing right-of-way; and

**WHEREAS**, Nationwide Realty Investors, Ltd. will manage the design of the Roadway Improvements - Nationwide Boulevard Improvements project and work collaboratively with the City and the Downtown SID throughout the design process; and

**WHEREAS**, the Department of Public Service has identified the need to enter into a design guaranteed maximum reimbursement agreement with Nationwide Realty Investors, Ltd. for the Roadway Improvements - Nationwide Boulevard Improvements project; and

**WHEREAS**, it is necessary to authorize an amendment to the 2013 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 a design guaranteed maximum reimbursement agreement with Nationwide Realty Investors, Ltd., in an amount up to \$429,199.15 for the design of public infrastructure improvements in connection with Roadway Improvements - Nationwide Boulevard Improvements; and

**WHEREAS**, funds in the amount of \$429,199.15 are available for this project in the Streets and Highways Bond Fund within the Department of Public Service; **now, therefore and**

~~WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service, in that it is immediately necessary to authorize said design guaranteed maximum reimbursement agreement 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 the 2013 Capital Improvements Budget authorized by ordinance 0645-2013 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 / 530104-100003 / Alley Rehabilitation - Downtown SID Improvements (Voted Carryover) / \$0.00 / \$225,825.00 / \$225,825.00 (cancellation)

704 / 530104-100003 / Alley Rehabilitation - Downtown SID Improvements (Voted 2008)/ \$1,336,685.00 / (\$429,200.00) /\$907,485.00

704 / 530161-100142 / Roadway Improvements - Nationwide Boulevard Improvements (Voted 2008) / \$0.00 / \$429,200.00 / \$429,200.00

**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 / 530104-100003 / Alley Rehabilitation - Downtown SID Improvements / 06-6600 / 740403/ 429,199.15

Transfer to:

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

704 / 530161-100142 / Roadway Improvements - Nationwide Boulevard Improvements / 06-6600 / 761142 / 429,199.15

**SECTION 3.** That the Director of the Department of Public Service be and hereby is authorized to enter into a design guaranteed maximum reimbursement agreement with Nationwide Realty Investors, Ltd., 375 North Front Street, Suite 200, Columbus, Ohio 43215, pursuant to Section 186 of the Columbus City Charter for the design of public infrastructure improvements to be constructed in connection with the Roadway Improvements - Nationwide Boulevard Improvements project at a cost up to \$429,199.15.

**SECTION 4.** That for the purpose of paying the cost of this contract the sum of up to \$429,199.15.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 / 530161-100142 / Roadway Improvements - Nationwide Boulevard Improvements / 06-6682 / 761142 / \$429,199.15.

**SECTION 5.** 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 6.** 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 7.** 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 this ordinance shall tke effect and be in force from and after the earliest period allowed by law.**  
~~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.~~