



Legislation Text

File #: 2971-2016, **Version:** 1

1. BACKGROUND

The purpose of this ordinance is to authorize the Director of Public Service to modify a Construction Guaranteed Maximum Reimbursement Agreement (CGRMA) with Coulter Properties, LLC and Coulter Ventures, LLC dba as Rouge Fitness (Coulter Properties) to provide for the reimbursement of additional work associated with the NCR - Milo Grogan and Miscellaneous Economic Development - Weinland Park Phase 3A projects currently being completed by the City.

The aforementioned capital improvement projects consist of improvements to Cleveland Avenue from New York Avenue to just north of Starr Avenue and Fifth Avenue from Grant Avenue to I-71 ramps in support of the \$32 million redevelopment of the former Timken site by Coulter Properties.

Ordinance No. 3048-2015 previously authorized the Director of Public Service to enter into a CGMRA with Coulter Properties in the amount of up to \$150,000.00 for the installation of a stormwater quality device to treat stormwater runoff from within the public right-of-way as part of its redevelopment of the Timken site.

This legislation provides for the reimbursement of eligible costs incurred by Coulter Properties for additional work related to the southern approach of the Timken site, which includes the installation of new sidewalks, curbs, and curb ramps. The Department of Public Service has committed up to \$48,000.00 toward those costs, bringing the total value of the amended CGRMA to \$198,000.00.

2. CONTRACT COMPLIANCE INFORMATION

The contract compliance number for Coulter Properties, LLC is 26-8707426 and expires November 17, 2017.

3. FISCAL IMPACTS

Funds in the amount of \$48,000.00 are available for this project in the Streets and Highways G.O. Bond Fund within the Department of Public Service.

4. EMERGENCY DESIGNATION

Emergency action is requested to allow the construction of planned improvements to proceed immediately, thereby allowing the City and Coulter Properties to maintain the current project schedule and meet community commitments.

To authorize the Director of Public Service to modify a Construction Guaranteed Maximum Reimbursement Agreement with Coulter Properties, LLC for additional work associated with the NCR - Milo Grogan and Miscellaneous Economic Development - Weinland Park Phase 3A capital improvement projects; to authorize the expenditure of \$48,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$48,000.00).

WHEREAS, the City is currently engaged in the construction of the NCR - Milo Grogan and Miscellaneous Economic Development - Weinland Park Phase 3A projects in support of the \$32 million redevelopment of the former Timken site by Coulter Properties, LLC; and

WHEREAS, Ordinance No. 3048-2015 authorized the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement, pursuant to Section 186 of the City Charter with Coulter Properties in the amount of up to \$150,000.00 for installation of a stormwater quality device known as the Austin Sand Filter System and associated appurtenances for the purpose of treating stormwater runoff within the public right-of-way; and

WHEREAS, Coulter Properties will perform additional work related to the southern approach to the Timken site, including the installation of new sidewalks, curbs, and curb ramps; and

WHEREAS, it is necessary to authorize the Director of Public Service to modify the Construction Guaranteed Maximum Reimbursement Agreement with Coulter Properties and to encumber and expend up to \$48,000.00 to reimburse Coulter Properties for eligible expenses incurred during the construction of the aforementioned improvements; and

WHEREAS, an emergency exists in the usual operation of the Department of Public Service in that it is immediately necessary to authorize the Director to modify the Construction Guaranteed Maximum Reimbursement Agreement and the encumbrance and expenditure of additional funds related thereto so as to maintain the current construction schedule, 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 the Department of Public Service be and is hereby authorized to modify a Construction Guaranteed Maximum Reimbursement Agreement with Coulter Properties, LLC and Coulter Ventures, LLC, dba Rogue Fitness, 1080 Steelwood Road, Columbus, Ohio 43212, pursuant to Section 186 of the Columbus City Charter, to perform additional work associated with the NCR - Milo Grogan and Weinland Park Phase 3A capital improvement projects.

SECTION 2. That the expenditure of \$48,000.00, or so much thereof as may be needed, is hereby authorized from Fund 7704 Streets and Highways Bonds Fund in Object Level 06 Capital Outlay per the accounting codes in the attachment to this Ordinance.

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 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.