



## Legislation Text

---

**File #: 2593-2017, Version: 1**

---

### **1. BACKGROUND**

This legislation will authorize the Director of Public Service to return unused funds to the Ohio Public Works Commission (OPWC), for the Miscellaneous Economic Development - Weinland Park (Columbus Coated Fabrics) Phase 3A and NCR - Milo Grogan Re-Bid (OPWC CC01Q CC02Q) project. It will also authorize the return of additional unused funds, if necessary, after final accounting for the grant is performed.

Ordinance 1185-2014 passed June 9, 2014, authorized the construction of the Miscellaneous Economic Development - Weinland Park (Columbus Coated Fabrics) Phase 3A and NCR - Milo Grogan Re-Bid (OPWC CC01Q CC02Q) project utilizing funds from the City of Columbus Department of Public Service Division of Design and Construction and grant funds from OPWC. Ordinance 1185-2014 did not include language to authorize the City to return unused or excess funds to the grantor, OPWC. A check was issued for disbursement of funds in the amount of \$204,543.40 from OPWC. The check should have been issued in the amount of \$157,964.44. OPWC overpaid the city in the amount of \$46,578.96 and will need to recapture those funds from the city.

The project has been completed and final reimbursement checks have been issued to the City by OPWC. There is no opportunity to adjust the overpayment other than to repay the funds to OPWC.

### **2. FISCAL IMPACT**

Funds in the amount of \$46,578.96 remain in the grant account and are available for refund. No additional funds are necessary.

To authorize the Director of Public Service to expend funds to repay the Ohio Public Works Commission \$46,578.96 for overpaying a reimbursement request in connection with the Miscellaneous Economic Development - Weinland Park (Columbus Coated Fabrics) Phase 3A and NCR - Milo Grogan Re-Bid project; and to declare an emergency. (\$46,578.96)

**WHEREAS**, the City of Columbus Department of Public Service completed the Miscellaneous Economic Development - Weinland Park (Columbus Coated Fabrics) Phase 3A and NCR - Milo Grogan Re-Bid (OPWC CC01Q CC02Q) project; and

**WHEREAS**, the City of Columbus Department of Public Service and OPWC contributed funds for the project; and

**WHEREAS**, OPWC issued a reimbursement check to the City in an amount greater than was owed to the City; and

**WHEREAS**, the final reimbursement check has been received by the City and there is no opportunity to adjust future reimbursement payments to correct the overpayment; and

**WHEREAS**, the overpayment needs to be refunded to OPWC; and

**WHEREAS**, the original legislation for the grant agreement did not include language to authorize the City to return unused or excess funds to the grantor;

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service, in that it is immediately necessary to authorize payment to OPWC to return the overpayment as quickly as possible, thereby 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 is authorized to repay the Ohio Public Works Commission an amount of up to \$46,578.96 overpaid to the City in connection with the Miscellaneous Economic Development - Weinland Park (Columbus Coated Fabrics) Phase 3A and NCR - Milo Grogan Re-Bid (OPWC CC01Q CC02Q) project.

**SECTION 2.** That the expenditure of \$46,578.96 or so much thereof as may be needed, is hereby authorized in Fund 7763 Transportation Grants Fund in object class 06 Capital Outlay per the accounting codes in the attachment to this ordinance.

**SECTION 3.** That, at the end of the grant period, any repayment of unencumbered balances required by the grantor is hereby authorized and any unused City match monies may be transferred back to the City fund from which they originated in accordance with all applicable grant agreements.

**SECTION 4.** 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 5.** 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 6.** 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 7.** 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.