



## Legislation Text

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**File #:** 2716-2017, **Version:** 1

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### **1. BACKGROUND**

This legislation authorizes the Director of Public Service to execute a Construction Guaranteed Maximum Reimbursement Agreement with Elford, Inc. relative to its Short North UDF redevelopment project.

Presently, the Department of Public Service is undertaking construction of the Short North SID - High Street Improvements Phase 2 project, which consists of various improvements to North High Street between West Poplar Avenue and West Starr Avenue (the "CIP project"). Elford, Inc. has proposed redeveloping the property at 900 N. High Street, formerly a United Dairy Farmers convenience store, into a three-story, 22,230-square-foot commercial building with office, restaurant, and retail space. That project also will result in the construction of certain public infrastructure improvements along North High Street, East First Avenue, and North Pearl Alley adjacent to the CIP project.

The City has agreed to reimburse Elford, Inc. up to \$163,991.30 for eligible construction costs incurred during the completion of the Short North UDF redevelopment project.

### **2. FISCAL IMPACT**

Funds in the amount of \$163,991.30 are available for this project in the Streets and Highways Bond Fund within the Department of Public Service. This legislation is contingent upon the receipt of the proceeds from the 2017 bond sale.

### **3. EMERGENCY DESIGNATION**

Emergency action is requested so as to allow for immediate execution of the requisite Construction Guaranteed Maximum Reimbursement Agreement in order to maintain the current project schedule.

### **4. CONTRACT COMPLIANCE**

Elford is not currently contract compliant and will need to become contract compliant before the reimbursement agreement can be fully executed.

To authorize the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement with Elford, Inc.; to authorize the expenditure of \$163,991.30 within the Streets and Highways Bonds Fund; and to declare an emergency. (\$163,991.30)

**WHEREAS**, the Department of Public Service is engaged in the Short North SID - High Street Improvements Phase 2 project, which consists of various improvements to North High Street between West Poplar Avenue and West Starr Avenue (the "CIP project"); and

**WHEREAS**, Elford, Inc. has proposed constructing certain public infrastructure improvements along North High Street, East First Avenue, and Pearl Alley as part of a planned commercial redevelopment project at the site of the former United Dairy Farmers convenience store at 900 N. High Street; and

**WHEREAS**, the City has agreed to reimburse for eligible construction costs incurred by Elford, Inc. during the completion of the Short North UDF redevelopment project, which is adjacent to the CIP project; and

**WHEREAS**, it is necessary to authorize the Director of Public Service to execute a Construction Guaranteed Maximum Reimbursement Agreement with Elford, Inc. for that purpose; and

**WHEREAS**, an emergency exists in the usual daily operation of the Department of Public Service in that it is

immediately necessary to authorize the Director to enter into said agreement with Elford, Inc. in order to maintain the current project schedule, 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 the Public Service be and is hereby authorized to enter into a Construction Guaranteed Maximum Reimbursement Agreement with Elford, Inc., 1220 Dublin Road, Columbus, Ohio 43215, relative to the Short North UDF redevelopment project.

**SECTION 2.** That the expenditure of \$163,991.30 so much thereof as may be needed and hereby is authorized from Fund 7704 Streets and Highways Bonds Fund in Object Class 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.