



Legislation Text

File #: 3074-2017, **Version:** 1

1. BACKGROUND

The purpose of this ordinance is to authorize the Director of the Department of Public Service to execute a grant agreement with the Ohio State University (OSU) to support the construction of the Roadway Improvements - Cannon Drive Relocation project.

The proposed relocation of Cannon Drive will improve the north-south transportation corridor between King Avenue and Lane Avenue, providing better access to the University including critical care facilities within the Medical Campus, and opening up approximately 12 acres for development. The project will extend between King Avenue and John Herrick Drive, a total roadway length of approximately 2,820 feet, with improvements including a landscaped median for access management along Cannon Drive. Roadway extensions of Medical Center Drive, 10th Avenue, 12th Avenue, and John Herrick Drive will be required to connect to the realigned Cannon Drive. The project includes developing a realigned access roadway to connect the new Cannon Drive with Battelle Drive accessing the medical campus.

The project also encompasses the realignment of the existing Franklin Main sanitary sewer north of King Avenue, as well as the consolidation of other public and private utilities within the new roadway corridor, facilitating future operation and maintenance. The realignment of Cannon Drive will create development parcels along the east side of Cannon Drive providing a significant economic benefit to the community. In addition, an open space corridor adjacent to the Olentangy River will provide connectivity to the bike path along the river. Other tangible benefits of the project include flood protection and stormwater management.

Over the course of the past six years, two memorandum of understandings (MOU's) have been signed with OSU for the Cannon Drive project and ordinances 2151-2011, 1656-2014, 1975-2015, 0992-2017, 1650-2017, and 1852-2017 have been approved by City Council related to the project. The latest MOU was signed earlier this year by Mayor Ginther with a total City contribution of up to \$18.2 million to support the project. The \$18.2 million is a capped amount which will not be exceeded. Project costs will be split equally between funds the City contributes and funds OSU contributes, with OSU solely responsible for any costs in excess of \$36.4 million.

The City has legislated or spent a combined total of \$2,962,158.42 on the Cannon Drive project to date, leaving \$15,237,841.58 remaining toward the \$18.2 million contribution. This legislation seeks Council approval to contribute the remaining portion of the City's commitment for the project. Parts of the project for which the City previously legislated funds have not yet been completed. The \$15,237,841.58 may need to be adjusted after the project is completed and final accounting has been performed. If the City should owe OSU additional funds after final accounting, additional legislation will be submitted to Council. If OSU should owe the City after final accounting, this legislation authorizes the City to accept the refund.

Searches in the System for Award Management (Federal) and the Findings for Recovery list (State) produced no findings against Complete General Construction Company.

2. FISCAL IMPACT

This is a budgeted expenditure within the Department of Public Service's 2017 Capital Improvement Budget. Funding in the amount of \$15,237,841.58 is available within Fund 7704 (Streets and Highways Bond Fund). An amendment to the 2017 Capital Improvements Budget is necessary to establish sufficient cash and authority for this expenditure.

3. CONTRACT COMPLIANCE

Ohio State University is not currently contract compliant with the City. They will need to become contract compliant

before the grant funds can be dispersed to them.

4. EMERGENCY DESIGNATION

Emergency action is requested to facilitate the disbursement of grant funding as soon as reasonably practicable so as not to delay completion of the project.

To amend the 2017 Capital Improvements Budget; to authorize the Director of the Department of Public Service to execute a grant agreement with Ohio State University relative to the construction of the Roadway Improvements - Cannon Drive Relocation project; to authorize the transfer of funds between projects within the Streets and Highways Bond Fund; to authorize the expenditure of up to \$15,237,841.58 from the Streets and Highways Bond Fund; and to declare an emergency. (\$15,237,841.58)

WHEREAS, the City of Columbus and Ohio State University have established a collaborative relationship to advance the design and construction of various public infrastructure improvements in connection with the Roadway Improvements - Cannon Drive Relocation project; and

WHEREAS, over the past six years two memorandums of understanding have been signed between OSU and the City, and ordinances 2151-2011, 1656-2014, 1975-2015, 0992-2017, 1650-2017, and 1852-2017 have been approved by City Council related to the project; and

WHEREAS, the City, per the latest memorandum of understanding signed with OSU, has agreed to provide up to \$18.2 million in capital funds toward design and construction costs related to the project; and

WHEREAS, the purpose of this legislation is to formalize that commitment by authorizing the Director of Public Service to execute a grant agreement with OSU to support the construction of the project; and

WHEREAS, it is necessary to authorize an amendment to the 2017 Capital Improvements Budget for the purpose of providing sufficient spending authority for the aforementioned expenditure; 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 execution of said grant agreement and the disbursement of the committed grant funds in order to facilitate the timely completion of the project, 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 2017 Capital Improvements Budget authorized by Ordinance 1124-2017 be amended as follows to establish sufficient authority for this expenditure:

Fund / Project / Project Name / Current / Change / Amended

7704 / P590910-100002 / SciTech - OSU Research Park Envir. (Voted 2016 Debt SIT Supported) / \$4,237,841.00 / (\$3,737,842.00) / \$499,999.00

7704 / P530161-100105 / Roadway Improvements - Cannon Drive Relocation (Voted 2016 Debt SIT Supported) / \$11,500,000.00 / \$3,737,842.00 / \$15,237,842.00

SECTION 2. That the Director of Public Service be and hereby is authorized to execute a grant agreement with the Ohio State University to support the construction of the Roadway Improvements - Cannon Drive project.

SECTION 3. That the transfer of \$3,737,841.58, or so much thereof as may be needed, is hereby authorized from Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Division of Design and Construction), Project P590910-

100002 (SciTech - OSU Research Park Envir.), Object Class 06 (Capital Outlay) to Dept-Div 5912 (Division of Design and Construction), Project P530161-100105 (Roadway Improvements - Cannon Drive Relocation), Object Class 06 (Capital Outlay), per the account codes in the attachment to this ordinance.

SECTION 4. That the expenditure of \$15,237,841.58, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Division of Design and Construction), Project 530161-100105 (Roadway Improvements - Cannon Drive Relocation), Object Class 06 (Capital Outlay), per the account codes in the attachment to this ordinance.

SECTION 5. That after final accounting, if OSU should owe the City a refund of unused grant monies distributed, the Department of Public Service be and is hereby authorized to accept and deposit the refund.

SECTION 6. 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 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.