



Legislation Text

File #: 2382-2018, Version: 1

1. BACKGROUND

The purpose of this legislation is to authorize the issuance of a refund for the unexpended balance of funds deposited by the Ohio State University (OSU) with the City to support the design of the Roadway Improvements - Cannon Drive Relocation project, a collaborative effort funded jointly by the City and OSU.

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.

Ordinance 2151-2011 authorized the Director of Public Service to execute a design reimbursement agreement with OSU, whereby the City agreed to reimburse OSU for costs incurred relative to the provision of preliminary engineering services by Evans, Mechwart, Hambleton and Tilton (EMH&T).

Ordinance 1656-2014 authorized the Director of Public Service to waive competitive bidding and contract with EMH&T for the provision of detailed design services for the project.

Ordinance 1008-2015 authorized the Director of Public Service to execute a contribution agreement with and to accept deposits from OSU to facilitate the design of the aforementioned improvements, and if necessary, to provide a refund to OSU after the project is complete and final accounting has been performed.

Ordinance 1975-2015 authorized the Director of Public Service to execute a planned contract modification, effective August 31, 2015, with EMH&T to provide for the continuation of requisite design services necessary to the completion of the project.

Ordinance 0746-2017 authorized the Director of Public Service to execute a second planned contract modification, effective May 3, 2017, with EMH&T to provide for additional plan development and coordination and to account for OSU-directed changes to existing design plans.

Following the execution of the second contract modification between the City and EMH&T, the City agreed to allow OSU to oversee the design of the remaining elements of the project and to administer the construction of the improvements, and the parties executed an assignment of contract, effective September 7, 2017, for that purpose.

The Department of Public Service has since determined that OSU is owed a refund in the amount of \$215,742.25, which represents the unspent balance of OSU-contributed design funding. This legislation authorizes the Director of Public

Service to return said funds to OSU.

2. FISCAL IMPACT

Funding in the amount of \$215,742.25 is available in Fund 7766 Street and Highway Improvements (Non-Bond) Fund to satisfy the obligation owed to OSU.

3. EMERGENCY JUSTIFICATION

Emergency action is requested in order to facilitate the return of unused design funding to OSU as soon as reasonably practicable.

To authorize the Director of Public Service to refund monies to The Ohio State University representing the unexpended balance of its contribution to the design phase of the Roadway Improvements - Cannon Drive Relocation project; to authorize the expenditure of \$215,742.25 for that purpose from the Street & Highway Improvements Non-Bond Fund; and to declare an emergency. (\$215,742.25)

WHEREAS, Ohio State University deposited funds with the Department of Public Service to be used for the design of the Roadway Improvements - Cannon Drive Relocation project; and

WHEREAS, the contract was assigned to Ohio State University before completion of design, removing contract administrative duties from the Department of Public Service and placing them with Ohio State University; and

WHEREAS, the Department of Public Service was responsible for the payment of all design costs incurred on the contract prior to the assignment of the contract to OSU; and

WHEREAS, after payment of final invoices by the Department of Public Service a portion of the deposit made by Ohio State University remained unspent and needed to be refunded to Ohio State University; 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 refund the money owed Ohio State University as soon as reasonably practicable, 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 Public Service be and hereby is authorized to refund the unexpended balance of funds deposited by the Ohio State University with the City to facilitate the design of the Roadway Improvements - Cannon Drive project.

SECTION 2. That the expenditure of \$215,742.25, or so much thereof as may be needed, is hereby authorized in Fund 7766 (Street & Highway Improvements Non-Bond Fund), Dept-Div 59-12 (Division of Design and Construction), Project 530161-100105 (Roadway Improvements - Cannon Drive Relocation), in Object Class 06 (Capital Outlay) per the account 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 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 (10) days after its passage if the Mayor neither approves nor vetoes the same.