



## Legislation Text

---

**File #: 3031-2018, Version: 1**

---

### **1. BACKGROUND**

This legislation authorizes the Director of Public Service on behalf of the City of Columbus, Ohio (the "City") to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC, an Ohio limited liability company (the "Development Team"). The Development Team is an affiliate of Kaufman Development.

The 500 West Broad Streetscape project consists of various improvements to Broad Street and May Avenue, including: installing two loading zones on Broad Street east of May Avenue and one loading zone on May Avenue, north of Broad Street; constructing new curb, sidewalk and street lighting on the north side of Broad Street and the East side of North May Avenue; and installing a new mast arm signal at the intersection of Broad Street and North May Avenue and new pavement markings on Broad Street and North May Avenue.

The City agrees to reimburse the Development Team up to \$636,345.00 to subsidize the cost of construction.

### **2. CONTRACT COMPLIANCE INFORMATION**

The contract compliance number for The Gravity Project, LLC is CC021278, which expires March 27, 2019.

### **3. FISCAL IMPACT**

Funds in the amount of \$636,345.00 are available for this project as follows: \$510,012.00 within the Streets and Highways G.O. Bonds Fund and \$126,333.00 within the Development Taxable Bonds Fund. An amendment to the 2018 Capital Improvement Budget is necessary for the purpose of providing sufficient spending authority for the aforementioned project expenditure. A transfer of cash is necessary to align cash with the proper project.

### **4. EMERGENCY DESIGNATION**

Emergency action is requested to allow for the timely execution of the requisite reimbursement agreement so as to maintain the current project schedule and to meet community commitments.

To amend the 2018 Capital Improvement Budget; to authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the City Auditor to transfer cash and appropriation between projects within the Development Taxable Bonds Fund; to authorize the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC; to authorize the expenditure of \$510,012.00 within the Streets and Highways G.O. Bonds Fund; to authorize the expenditure of \$126,333.00 within the Development Taxable Bond Funds; and to declare an emergency. (\$636,345.00)

**WHEREAS**, the Development Team proposes to construct streetscape improvements to West Broad Street and May Avenue including installing a mast arm traffic signal at the intersection of West Broad Street and May Avenue; and

**WHEREAS**, the City agrees to reimburse the Development Team up to \$636,345.00 to subsidize the cost of construction; and

**WHEREAS**, this ordinance authorizes the Director of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement with the Development Team for that purpose; and

**WHEREAS**, it is necessary to authorize an amendment to the 2018 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

**WHEREAS**, it is necessary to transfer cash to align cash with the proper project; 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 Construction Guaranteed Maximum Reimbursement Agreement and the expenditure of such funds in order to maintain the project schedule and to meet community commitments, 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 2018 Capital Improvement Budget authorized by Ordinance 1010-2018 be amended as follows to establish sufficient authority for this project:

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

7704 / P441761-100000 / 500 West Broad Sewer Relocation (Voted Carryover) / \$138,621.00 / (\$138,621.00) / \$0.00

7704 / P441751-100000 / 500 West Broad Streetscape (Voted Carryover) / \$0.00 / \$138,621.00

7704 / P590415-100012 / Public Private Partnership (3P) Projects (Unvoted Carryover) / \$21,391.00 / (\$21,391.00) / \$0.00

7704 / P441751-100000 / 500 West Broad Streetscape (Unvoted Carryover) / \$0.00 / \$21,391.00 / \$21,391.00

7704 / P540007-100066 / Signal Installation - Gravity Project (Voted 2016 Debt SIT Supported) / \$350,000.00 / (\$350,000.00) / \$0.00

7704 / P441751-100000 / 500 West Broad Streetscape (Voted 2016 Debt SIT Supported) / \$0.00 / \$350,000.00 / \$350,000.00

7739 / 590415-100012 / Public Private Partnership (3P) Projects (Councilmanic SIT Supported) / \$3,549,082.00 / (\$126,333.00) / \$3,422,749.00

7739 / P441751-100000 / 500 West Broad Streetscape (Councilmanic SIT Supported) / \$0.00 / \$126,333.00 / \$126,333.00

**SECTION 2.** That the transfer of \$138,620.99, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways G.O. Bond Fund), Dept-Div 6005 (Sewers and Drains), Project P441761-100000 (500 West Broad Sewer Relocation), Object Class 06 (Capital Outlay), to Dept-Div 5912 (Division of Design and Construction), Project P441751-100000 (500 West Broad Streetscape), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$21,391.01, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways G.O. Bond Fund), Dept-Div 4401 (Development Administration), Project P590415-100012 (Public Private Partnership (3P) Projects), Object Class 06 (Capital Outlay), to Dept-Div 5912 (Division of Design and Construction), Project P441751-100000 (500 West Broad Streetscape), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 4.** That the transfer of \$350,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways G.O. Bond Fund), Dept-Div 5913 (Division of Traffic Management), Project P540007-100066 (Signal Installation - Gravity Project), Object Class 06 (Capital Outlay), to Dept-Div 5912 (Division of Design and Construction), Project P441751-100000 (500 West Broad Streetscape), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 5.** That the transfer of \$126,333.00, or so much thereof as may be needed, is hereby authorized within Fund 7739 (Development Taxable Bonds), Dept-Div 4402 (Economic Development), Project P590415-100012 (Public Private Partnership (3P) Projects), Object Class 06 (Capital Outlay), to Dept-Div 4402 (Economic Development), Project P441751-100000 (500 West Broad Streetscape), Object Class 06 (Capital Outlay) per the account codes in the attachment

to this ordinance.

**SECTION 6.** That the Director of the Department of Public Service be and is hereby authorized to enter into a Construction Guaranteed Maximum Reimbursement Agreement with The Gravity Project, LLC, whose address is 30 Warren Street, Columbus, Ohio, 43215, relative to the construction of the 500 West Broad Streetscape project.

**SECTION 7.** That the expenditure of \$510,012.00, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways G.O. Bond Fund), Dept-Div 5912 (Division of Design and Construction), Project P441751-100000 (500 West Broad Streetscape), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 8.** That the expenditure of \$126,333.00, or so much thereof as may be needed, is hereby authorized in Fund 7739 (Development Taxable Bonds), Dept-Div 4402 (Economic Development), Project P441751-100000 (500 West Broad Streetscape), Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 9.** 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 10.** 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 11.** 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 12.** That, for the reasons stated in the preamble hereto, which is 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 passage if the Mayor neither approves nor vetoes this Ordinance.