



Legislation Text

File #: 3399-2018, Version: 1

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into agreements with and to accept contributions from the Central Ohio Transit Authority (COTA) relative to the construction of the Downtown Streetscape - 85 N. High Street - Edwards project, and to, as necessary, provide a refund to COTA after the project and final accounting have been completed, or to provide the refund when the Department of Public Service's Division of Design and Construction certifies any excess funds deposited by COTA are no longer needed and can be refunded.

The City currently is engaged in a Public-Private Partnership (3P) with 85 North High Street, LLC to facilitate the construction of certain public infrastructure improvements in support of a mixed-use development at 85 N. High Street in downtown Columbus. A portion of the proposed improvements will benefit COTA operations, and COTA agrees to assume and bear all costs associated with the removal of the existing asphalt concrete pavement on the south side of Long Street between Wall Street and High Street and the installation of a concrete bus pad at that location.

2. FISCAL IMPACT

COTA has agreed to contribute \$67,578.50 to support construction of the project based on preliminary cost estimates. The actual amount owed may vary pending the outcome of a future competitive bid process. COTA will deposit additional funds if the pricing received during the bid process for their portion of the work exceeds the estimated cost amount for which the initial deposit was based.

3. EMERGENCY DESIGNATION

Emergency action is requested in order to facilitate the execution of requisite agreements as soon as reasonably practicable so as to prevent avoidable delays in the completion of the project.

To authorize the Director of Public Service to enter into agreements with and accept contributions from COTA relative to the Downtown Streetscape - 85 N. High Street - Edwards project; to, as necessary, authorize the refund of any unexpended funds deposited by COTA; and to declare an emergency. (\$0.00)

WHEREAS, the City is engaged in a Public-Private Partnership (3P) with 85 North High Street, LLC to facilitate the construction of certain public infrastructure improvements in support of a mixed-use development at 85 N. High Street; and

WHEREAS, a portion of the proposed improvements will benefit COTA operations; and

WHEREAS, COTA agrees to assume and bear all costs associated with the removal of the existing asphalt concrete pavement on the south side of Long Street between Wall Street and High Street and the installation of a concrete bus pad at that location; and

WHEREAS, this legislation authorizes the Director of Public Service to enter into agreements with and accept contributions from COTA 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 execution of requisite agreements with COTA in order to maintain current project timelines, 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 be and hereby is authorized to enter into agreements with and accept contributions from COTA to support work performed as part of the Downtown Streetscape - 85 N. High Street - Edwards project, and to, as necessary, refund the unexpended balance of funds deposited by COTA with the City for that purpose after the project and final accounting have been completed, or to provide the refund when the Department of Public Service's Division of Design and Construction certifies any excess funds deposited by COTA are no longer needed and can be refunded.

SECTION 2. 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 3. 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 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 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.