



Legislation Text

File #: 1384-2019, **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 White Castle Management Co. (hereinafter the "Development Team") relative to the Roadway - Edgar Waldo Way and Generations Pass project.

The aforementioned project will result in the construction of two new public roadways in the vicinity of the 555 W. Goodale Street site: Edgar Waldo Way and Generations Pass. Construction also will include new street lighting, storm sewer, retaining walls, and a waterline included in the Generations Pass and Edgar Waldo Way Waterline Improvement Plan. The City agrees to reimburse the Development Team for eligible construction costs.

2. CONTRACT COMPLIANCE INFORMATION

White Castle presently does not have a valid contract compliance number and will be required to become contract compliant before the City executes the requisite reimbursement agreement.

3. FISCAL IMPACT

Funds in the amount of \$1,434,621.21 are available for this project in the Streets and Highways Bond Fund, Fund 7704, within the Department of Public Service.

4. EMERGENCY DESIGNATION

Emergency action is requested to facilitate the execution of the requisite reimbursement agreement as soon as reasonably practicable so as to maintain the current project schedule and to meet community commitments.

To authorize the City Auditor to transfer cash and appropriation between projects within the Streets and Highways Bond Fund; to authorize the Director of the Department of Public Service to enter into a Construction Guaranteed Maximum Reimbursement Agreement with White Castle Management Co.; to authorize the expenditure of up to \$1,434,621.21 within the Streets and Highways Bonds Fund; and to declare an emergency. (\$1,434,621.21)

WHEREAS, the Development Team is administering the Roadway - Edgar Waldo Way and Generations Pass project, which encompassed the construction of various public infrastructure improvements in the vicinity of 555 W. Goodale Street, including two new public roadways: Edgar Waldo Way and Generations Pass; and

WHEREAS, the City agrees to reimburse the Development Team for eligible construction costs; and

WHEREAS, this ordinance authorizes the Director of Public Service to execute a Construction Guaranteed Maximum Reimbursement Agreement with the Development Team 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 said Construction Guaranteed Maximum Reimbursement Agreement and the expenditure of requisite 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 transfer of \$912,252.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 59-12 (Division of Design and Construction), Project P590417-

100001 (Project Diagnosis), Object Class 06 (Capital Outlay), to Dept-Div 59-12 (Division of Design and Construction), Project P531008-100000 (Roadway - Edgar Waldo Way and Generations Pass), Object Class 06 (Capital Outlay), per the account codes in the attachment to this ordinance.

SECTION 2. That the transfer of \$510,269.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 44-01 (Development Administration), Project P440104-100006 (2012 Neighborhood Infrastructure Projects), Object Class 06 (Capital Outlay), to Dept-Div 59-12 (Division of Design and Construction), Project P531008-100000 (Roadway - Edgar Waldo Way and Generations Pass), Object Class 06 (Capital Outlay), per the account codes in the attachment to this ordinance.

SECTION 3. That the transfer of \$577,479.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 59-12 (Division of Design and Construction), Project P590416-100001 (Poindexter Village Roadways), Object Class 06 (Capital Outlay), to Dept-Div 59-12 (Division of Design and Construction), Project P531008-100000 (Roadway - Edgar Waldo Way and Generations Pass), Object Class 06 (Capital Outlay), per the account codes in the attachment to this ordinance. 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 4. That the Director of Public Service be and hereby is authorized to execute a Construction Guaranteed Maximum Reimbursement Agreement with White Castle Management Co., 555 W. Goodale Street Columbus, Ohio, 43215, relative to the construction of the Roadway - Edgar Waldo Way and Generations Pass project.

SECTION 5. That the expenditure of \$1,434,621.21, or so much thereof as may be needed, is hereby authorized in Fund 7704 (Streets and Highways Bond Fund), Dept-Div 59-12 (Division of Design and Construction), Project P531008-100000 (Roadway - Edgar Waldo Way and Generations Pass), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

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. 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.