



Legislation Text

File #: 1478-2019, **Version:** 1

1. BACKGROUND

This ordinance authorizes the Department of Public Service to perform construction administration and inspection services relative to the Roadway - Edgar Waldo Way and Generations Pass project (the "Project"); to expenditure of up to \$143,463.00 to fund those services; and to, as necessary, accept additional monies for that purpose or refund the unexpended balance of monies deposited with the City Treasurer for that purpose after final accounting is complete or the Department of Public Service determines the remaining funds are no longer needed to support the aforementioned activities.

Administered by White Castle Management Co. (the "Development Team"), 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.

Ordinance 1384-2019 authorized the Director of Public Service to execute a Construction Guaranteed Maximum Reimbursement Agreement with the Development Team, whereby the City agreed to reimburse the Development Team for eligible construction costs.

The Development Team shall, however, assume and bear the cost of all construction administration and inspection services performed by the Department of Public Service, which is necessary to the acceptance of the aforementioned improvements by the City. The Development Team previously deposited \$143,463.00 with the City Treasurer for that purpose based on a preliminary cost estimate. Should that amount be insufficient to fund construction inspection and administration services for the Project, the Development Team will be required to deposit such additional sum as may be necessary to satisfy the obligation owed for that purpose. Should an unexpended balance remain from the funds previously deposited by the Development Team after final accounting is performed or the Department of Public Service determines the remaining balance is no longer needed to fund construction inspection and administration services for the Project, those monies shall be refunded to the Development Team.

2. FISCAL IMPACT

Funding in the amount of \$143,463.00 is available within the Street and Highway Improvements Non-Bond Fund to support for this Project. This legislation authorizes the appropriation of said funds. An amendment of the 2019 Capital Improvement Budget is necessary to match cash and to establish sufficient budget authority for the project.

3. EMERGENCY DESIGNATION

Emergency action is requested so as to prevent unnecessary delays in the completion of planned improvements.

To authorize the appropriation of \$143,463.00 within the Street and Highway Improvements Non-Bond Fund; to amend the 2019 Capital Improvement Budget; to authorize the expenditure \$143,463.00 from the Street and Highway Improvements Non-Bond Fund to support the performance of construction administration and inspection services by the Department of Public Service relative to the Roadway - Edgar Waldo Way and Generations Pass project; to, as necessary, accept additional monies from or provide a refund to White Castle Management Co. after final accounting is complete; and to declare an emergency. (\$143,463.00)

WHEREAS, White Castle Management Co. (the "Development Team") is administering the construction of the Roadway - Edgar Waldo Way and Generations Pass project (the "Project"), which 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; and

WHEREAS, Ordinance 1384-2019 authorized the Director of Public Service to execute a Construction Guaranteed Maximum Reimbursement Agreement with the Development Team for the purpose of reimbursing the Development Team for eligible construction costs incurred during the completion of the Project; and

WHEREAS, the purpose of this legislation is to facilitate the performance of construction administration and inspection services by the Department of Public Service relative to the Project; and

WHEREAS, it is necessary to authorize an amendment to the 2019 Capital Improvement Budget for the purpose of providing sufficient spending authority for the aforementioned project expenditure; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to provide funding for construction administration and inspection services so as to maintain the current project, thereby preserving the public health, peace, safety, and welfare; **now, therefore**

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:

SECTION 1. That from the unappropriated monies and from all monies estimated to come into said fund from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2019, the sum of \$143,463.00 is appropriated in Fund 7766 (Street and Highway Improvements Non-Bond Fund), Dept-Div 59-12 (Division of Design and Construction), in Object Class 06 (Capital Outlay), per the account codes in the attachment to this ordinance.

SECTION 2. That the 2019 Capital Improvement Budget authorized by Ordinance 1326-2019 be and is hereby amended to provide sufficient budget authority for the appropriate projects authorized within this ordinance as follows:

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

7766 / P531008-100000 / Roadway - Edgar Waldo Way and Generations Pass (Street & Highway Imp Carryover) /
\$0.00 / \$143,463.00 / \$143,463.00 (to match cash)

SECTION 3. That the expenditure of \$143,463.00, or so much thereof as may be needed, is hereby authorized in Fund 7766 (Street and Highway Improvements Non-Bond Fund), Dept-Div 59-12 (Division of Design and Construction), P531008-100000 (Roadway - Edgar Waldo Way and Generations Pass), in Object Class 06 (Capital Outlay), per the account codes in the attachment to this ordinance.

SECTION 4. That the Director of Public Service be and is hereby authorized to, as necessary, accept additional deposits from White Castle Management Co. (the "Development Team") to support construction administration and inspection services relative to the Roadway - Edgar Waldo Way and Generations Pass project, or refund the unexpended balance of monies deposited by the Development Team with the City Treasurer for that purpose after final accounting is completed or the Department of Public Service determines the remaining balance is no longer needed to fund said activities.

SECTION 5. That the funds are hereby deemed appropriated and expenditures and transfers authorized to carry out the purposes of this ordinance and the City Auditor shall establish such accounting codes as necessary.

SECTION 6. 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 7. 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 8. 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 this ordinance.