



Legislation Text

File #: 1777-2019, **Version:** 1

BACKGROUND: This legislation authorizes the Finance and Management Director to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for construction of Fire Station 16 which will be located at 1465 Oakland Park Avenue.

The ordinance authorizes a contract for the construction of a new 24,698 square foot fire station, which will replace the existing FS16 located at 1130 Weber Road that was constructed in 1952. The new FS16 will include additional health safety measures for first responders. The expected opening of this new Fire Station is the fourth quarter of 2020.

The Department of Finance and Management, Office of Construction Management, solicited bids which were formally advertised. On April 11, 2019 the city received five (5) responses (0 AS1, 0 FBE, 0 MBE,) as listed:

<u>Company</u>	<u>City</u>	<u>AS1/FBE/MBE</u>
Elford, Inc.	Columbus	EBOCC
Thomas & Marker Construction	Bellefontaine	EBOCC
Miles McClellan Construction	Columbus	N/A
Gutknecht Construction Co.	Columbus	EBOCC
R.W. Setterlin Building Co.	Columbus	EBOCC

Elford, Inc. submitted the lowest bid of \$9,408,000.00. The Office of Construction Management recommends the bid award be made to the lowest, responsive and responsible bidder, Elford, Inc.

Elford, Inc. Contract Compliance No. 31-4371060, expiration date October 25, 2019.

Emergency action is requested to be able to complete site work prior and begin preliminary project work during construction months.

Fiscal Impact: Funding for this project is budgeted in the 2019 Capital Improvement Budget. These funds will not be available until the proceeds of the bond sale are deposited later this year and so it is necessary to certify the required funds against the Special Income Tax Fund. This transfer is a temporary funding method; the City will sell notes for bonds to fund this project and will reimburse the Special Income Tax Fund accordingly.

To authorize the Director of Finance and Management to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for the construction of a new Fire Station 16; to authorize and direct the City Auditor to appropriate and transfer \$9,408,000.00 from the Special Income Tax Fund to the Safety G.O. Bond Fund; to authorize the expenditure of \$9,408,000.00 from the Safety G.O. Bond Fund; and to declare an emergency. (\$9,408,000.00)

WHEREAS, a transfer of funds from the Special Income Tax Fund is necessary to fund this project; and

WHEREAS, the City will sell notes or bonds to fund this project and will reimburse the Special Income Tax Fund; and

WHEREAS, this transfer should be considered as a temporary funding method; and

WHEREAS, the City anticipates incurring certain Original Expenditures (as defined in Section 1.150-2(c) of the

Treasury Regulations (the “Treasury Regulations”) promulgated pursuant to the Internal Revenue Code of 1986, as amended) with respect to the project described in this ordinance (the “Project”); and

WHEREAS, the aggregate principal amount of obligations which the City will issue to finance this purchase is presently expected not to exceed \$9,408,000.00; and

WHEREAS, the Office of Construction Management solicited a proposal for this project and five firms submitted bids; and

WHEREAS, Elford, Inc. was deemed the lowest, responsive, and responsible bidder; and

WHEREAS, an emergency exists in the usual daily operation of the Department of Finance and Management in that it is immediately necessary to authorize the Director of Finance and Management to enter into contract with Elford, Inc. for construction of Fire Station 16 at 1465 Oakland Park Avenue to be able to complete site work prior and begin preliminary project work during construction months, 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 Finance and Management Director is hereby authorized to enter into a contract on behalf of the Office of Construction Management with Elford, Inc. for construction of Fire Station No. 16.

SECTION 2. That the sum of \$9,408,000.00 be and is hereby appropriated from the unappropriated balance of the Special Income Tax Fund, Fund 4430, 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 to the City Auditor, Department 2201, Object Class 10 Transfer out Operating.

SECTION 3. That the City Auditor is hereby authorized to transfer said funds to the Safety G.O. Bond Fund at such time as is deemed necessary by the City Auditor, and to expend said funds, or so much thereof as may be necessary.

SECTION 4. That the transfer of \$9,408,000.00, or so much thereof as may be needed, is hereby authorized between the Special Income Tax Fund 4430, and the Safety G.O. Bond Fund, Fund 7701 per the account codes in the attachment to this ordinance.

SECTION 5. That the expenditure of \$9,408,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7701 Safety G.O. Bond Fund Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 6. That upon obtaining other funds for this project for the Department of Finance and Management, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 4 above, and said funds are hereby deemed appropriated for such purpose.

SECTION 7. That the City intends that this ordinance constitute an “official intent” for the purposes of Section 1.150-2 (e) of the Treasury Regulations, and that the City reasonably expects to reimburse itself for certain Original Expenditures incurred with respect to the Project from the proceeds of obligations to be issued by the City in a principal amount currently estimated to be \$9,408,000.00 (the “Obligations”). The City intends to make a reimbursement allocation on its books for the Original Expenditures not later than eighteen months following the later to occur of the date of the Original Expenditure to be reimbursed or the date the Project for which such Original Expenditures were made is “placed in service” within the meaning of the Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds for such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 8. That the monies appropriated in the foregoing Section 2 shall be paid upon order of the Director of Finance and Management, and that no order shall be drawn or money paid except by voucher, the form of which shall be approved by the City Auditor

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 reasons stated in the preamble hereto, which is hereby made a part hereof, this ordinance is hereby declared an emergency measure and shall take effect and be enforced from and after its passage and approval by the Mayor, or ten days after passage if the Mayor neither approves nor vetoes the same.