



Legislation Text

File #: 0825-2020, Version: 1

1. BACKGROUND

This legislation authorizes the Director of Public Service to enter into professional service contracts with Moody Nolan, Inc., in an amount of up to \$500,000.00 for Phase 1 of design for the Miscellaneous Economic Development - Confluence Village Garage project. Phase 1 will encompass programming, schematic design, and design development tasks; while Phase 2 will include final design, producing construction documents, close-out tasks, and services as needed during construction. A contract modification is anticipated to fund Phase 2.

The contract will provide the City of Columbus, Department of Public Service, additional resources for professional design services for the construction of a new parking garage. The garage is to be built on a new parcel to be created by the subdivision of property within Confluence Village, which is an area of the Downtown District generally bounded by W. Nationwide Boulevard to the south, the Olentangy River to the west, I-670 to the north, and CSX railroad to the east. The parking garage is planned to contain approximately 600-750 spaces. It is intended to support the parking needs of future development at Confluence Village and also provide some public parking for events at the new Columbus Crew Stadium.

The Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Miscellaneous Economic Development - Confluence Village Garage contract. The project was formally advertised on the Vendor Services and Bonfire web sites from January 31, 2020, to February 28, 2020. The City received eight responses. All proposals were deemed responsive and were fully evaluated when the Evaluation Committee met on March 9, 2020. The responding firms were:

<u>Company Name</u>	<u>City/State</u>	<u>Majority/MBE/MBR/F1/AS1/PHC</u>
Moody Nolan, Inc.	Columbus, OH	MBE
Schooley Caldwell Associates	Columbus, OH	MAJ
M+A Architects	Columbus, OH	MAJ
Osborn Engineering	Columbus, OH	MAJ
AECOM	Columbus, OH	MAJ
Mode Architects	Columbus, OH	Unknown
Abbot Studios	Columbus, OH	MAJ
Gunzelman Architects + Interiors	Columbus, OH	Unknown

Moody Nolan received the highest score by the evaluation committee and will be awarded the Miscellaneous Economic Development - Confluence Village Garage contract.

Searches in the Excluded Party List System (Federal) and the Findings for Recovery list (State) produced no findings against Moody Nolan, Inc.

2. CONTRACT COMPLIANCE

The contract compliance number for Moody Nolan is CC004920 and expires 03/12/22.

3. FISCAL IMPACT

An amendment to the 2019 Capital Improvements Budget and a certification of reserves in the Special Income Tax Fund in the amount of \$500,000.00 is necessary at this time. A modification for Phase 2 will be submitted to Council at a later date. Bonds or notes will be sold at a future date to replace this temporary funding measure. Additionally, the City will

provide funding for construction estimated to be \$15,000,000.00 in 2021.

4. EMERGENCY DESIGNATION

An emergency exist in the usual daily operation of the Department of Public Service in that it is immediately necessary to enter into said agreement so that planning for initial design can begin, project financing can be determined, and a cost effective construction start can be planned for 2021.

To amend the 2019 Capital Improvement Budget; to authorize the appropriation and transfer of funds from the Special Income Tax Fund to the Streets and Highways Taxable Bond Fund; to authorize the appropriation of funds within the Streets and Highways Taxable Bond Fund; to authorize the Director of Public Service to enter into a professional service contract with Moody Nolan for the Miscellaneous Economic Development - Confluence Village Garage project; to authorize the expenditure of up to \$500,000.00 from the Streets and Highways Taxable Bond Fund for this contract; and to declare an emergency. (\$500,000.00)

WHEREAS, there is a need to enter into a professional service contract to provide for professional design services for the construction of a new parking garage; and

WHEREAS, the Department of Public Service, Office of Support Services, solicited Requests for Proposals for the Miscellaneous Economic Development - Confluence Village Garage project; and

WHEREAS, Moody Nolan submitted the best overall proposal for this project; and

WHEREAS, it is necessary to enter into contract with Moody Nolan for the provision of professional services described above in the amount of up to \$500,000.00 for Phase 1 of the design contract; and

WHEREAS, it is necessary to amend the 2019 Capital Improvement Budget to establish authority within the correct project; and

WHEREAS, it is necessary to appropriate funds within Fund 4430 (Special Income Tax) and within Fund 7708 (Streets and Highways Taxable Bond Fund); and

WHEREAS, it is necessary to transfer funds from the Special Income Tax Fund to the Streets and Highways Taxable Bond Fund to fund this project; and

WHEREAS, the City will reimburse the Special Income Tax Fund; and

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

WHEREAS, the aggregated principal amount of obligations which the City will issue to finance this project is presently expected not to exceed \$500,000.00; 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, an emergency exists in the usual daily operation of the Department of Public Service in that it is immediately necessary to authorize the Director of Public Service to enter into contract with Moody Nolan so that planning for initial design can begin, project financing can be determined, and a cost effective construction start can be planned for 2021, 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 2019 Capital Improvements Budget authorized by Ordinance 1326-2019 be amended as follows to establish sufficient authority for this project:

Fund / Project / Project Name / C.I.B. / Change / C.I.B. as Amended

7708 / P440105-100001 / Misc Econ Dev - Confluence Village Garage (Voted 2019 Debt SIT Supported) / \$0.00 / \$500,000.00 / \$500,000.00 (To match cash for a transfer from the Special Income Tax Fund)

SECTION 2. 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 ended December 31, 2020, the sum of \$500,000.00 is appropriated in Fund 4430 (Special Income Tax), Dept-Div 2201 (City Auditor) in Object Class 10 (Transfer Out Operating) per the account codes in the attachment to this ordinance.

SECTION 3. That the transfer of \$500,000.00 or so much thereof as may be needed, is hereby authorized from Fund 4430 (Special Income Tax), Dept-Div 2201 (City Auditor) to Fund 7708 (Streets and Highways Taxable Bond Fund), Dept-Div 5912 (Design and Construction) per the account codes in the attachment to this ordinance.

SECTION 4. 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 ended December 31, 2020, the sum of \$500,000.00 is appropriated in Fund 7708 (Streets and Highways Taxable Bond Fund), Dept-Div 5912 (Division of Design and Construction), Project P440105-100001 (Misc Econ Dev - Confluence Village Garage), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 5. That the Director of Public Service be, and hereby is, authorized to enter into professional service contracts with Moody Nolan at 300 Spruce Street, Suite 300, Columbus, Ohio, 43215, for the Miscellaneous Economic Development - Confluence Village Garage project in an amount up to \$500,000.00.

SECTION 6. That the expenditure of \$500,000.00, or so much thereof as may be needed, is hereby authorized in Fund 7708 (Streets and Highways Taxable Bond Fund), Dept-Div 5912 (Design and Construction), Project P440105-100001 (Misc Econ Dev - Confluence Village Garage), in Object Class 06 (Capital Outlay) per the accounting codes in the attachment to this ordinance.

SECTION 7. That the monies appropriated in the foregoing Section 2 and Section 4 shall be paid upon order of the Director of Public Service 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 8. That upon obtaining other funds for this project for the Department of Public Service, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 3.

SECTION 9. That the City intends that this ordinance constitute an "official intent" for 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 \$500,000.00 (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 Treasury Regulations Section 1.150-2(c). Upon the issuance of the Obligations, the proceeds of such Obligations shall be used to reimburse the fund from which the advance for costs of the Project will be made.

SECTION 10. 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 11. 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 12. 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 13. 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.