



# City of Columbus

Office of City Clerk  
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## Legislation Text

File #: 0823-2022, 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 Newcomer Concrete Services, Inc. for the restoration of the parking lot located at 3639 Parsons Avenue. This project will restore the asphalt parking lot pavement at the Fire Training Academy. The project scope includes asphalt pavement replacement, a new concrete driveway plus other miscellaneous work along with parking lot light relocations.

The Department of Finance and Management, Office of Construction Management, solicited bids which were formally advertised. On January 12, 2022, the city received one (1) response (0 AS1, 0 FBE, 0 MBE,) as follows:

Bidder/Consultant	City	FBE/MBE	Amount of Bid
Newcomer Concrete Services, Inc.	Norwalk	EBOCC	\$1,630,480.00

Newcomer Concrete Services, Inc submitted the only bid of \$1,630,480.00. The Office of Construction Management recommends the bid in the amount of \$1,630,480.00 be made to the sole responsive bidder, Newcomer Concrete Services, Inc.

Newcomer Concrete Services, Inc. Contract Compliance No. 341302197, expiration date December 13, 2023.

**Fiscal Impact:** This ordinance authorizes an expenditure of \$1,630,480.00 from the Safety Voted Capital Fund with Newcomer Concrete Services, Inc. to restore the asphalt parking lot pavement at the Fire Training Academy. It is necessary to certify the requisite funds in the amount of \$1,630,480.00 against the Special Income Tax Fund.

To authorize the City Auditor to appropriate and transfer funds from the Special Income Tax Fund to the Safety Voted Capital Fund; to authorize the Director of Finance and Management to enter into a contract on behalf of the Office of Construction Management with Newcomer Concrete Services, Inc. for asphalt parking lot pavement restoration at the Fire Training Academy; to authorize the expenditure of \$1,630,480.00 from the Safety Voted Capital Fund; (\$1,630,480.00)

**WHEREAS**, pursuant to a Request for Bids solicited by the Office of Construction Management, one firm submitted a bid on February 11, 2022 and Newcomer Concrete Services was the sole responsive bidder; and

**WHEREAS**, the Office of Construction Management is recommending the contract award to Newcomer Concrete Services Inc; and

**WHEREAS**, it is necessary to authorize the appropriation and expenditure of \$1,630,480.00 in order for the Office of Construction Management to enter into a contract for restoring the asphalt parking lot pavement at the Fire Training Academy; and

**WHEREAS**, it is necessary to transfer funds from the Special Income Tax 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 \$1,630,480.00; and

**WHEREAS**, the City anticipates incurring 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**, it has become necessary in the usual daily operation of the Finance and Management Department, to authorize the Director of Finance and Management to enter into a contract with Newcomer Concrete Services, Inc. restoring the asphalt parking lot pavement at the Fire Training Academy located at 3639 Parsons Avenue; **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 Newcomer Concrete Services, Inc. for asphalt parking lot pavement restoration at the Fire Training Academy.

**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, 2022, the sum of \$1,630,480.00 is appropriated in Fund 4430 (Special Income Tax Fund), Dept-Div 2201 (City Auditor) in Object Class 10 (Transfer Out Operating) and in Fund 7701 (Safety Voted Capital Fund), Dept-Div 3004 (Division of Fire), Project P340103-100202 in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

**SECTION 3.** That the transfer of \$1,630,480.00, or so much thereof as may be needed, is hereby authorized from Fund 4430 (Special Income Tax Fund), Dept-Div 2201 (City Auditor) to Fund 7701 (Safety Voted Capital Fund), Dept-Div 3004 per the account codes in the attachment to this ordinance.

**SECTION 4.** That the expenditure of \$1,630,480.00, or so much thereof as may be necessary in regard to the action authorized in SECTION 1, is hereby authorized in Fund 7701 Public Safety Capital Improvement Fund, Dept-Div 3004, Project P340103-100202 (Fire Facility Renovation - Training Complex Renovations), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

**SECTION 5.** That the monies in the foregoing sections 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 6.** That upon obtaining other funds for this project for the Office of Construction Management, the City Auditor is hereby authorized and directed to repay the Special Income Tax Fund the amount transferred under Section 4.

**SECTION 7.** 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 \$1,630,480.00 (the “Obligations”).

**SECTION 8.** That 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 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 this ordinance shall take effect and be in force from and after the earliest period allowed by law.