



Legislation Text

File #: 1747-2022, **Version:** 1

1. BACKGROUND

This ordinance authorizes the Director of Public Service to execute a Construction Guaranteed Maximum Reimbursement Agreement in connection with the expansion of the existing KIPP Columbus Campus in the Northeast Columbus Communities area.

The City of Columbus, acting through the Department of Development, previously formed a Public-Private Partnership (3P) with Daimler Group, Inc., which served as the construction manager, to facilitate the construction of certain public infrastructure improvements necessary to support the redevelopment of the former Bridgeview Golf Course into the current site of KIPP Columbus.

KIPP Columbus is part of a national network of free, open enrollment, public schools focused on character building and college readiness and currently is ranked in the top 5 schools in Ohio for academic growth.

The KIPP Columbus Foundation recently has undertaken an expansion effort in anticipation of doubling student enrollment to nearly 4,000 children in coming years. The expansion project will culminate in the construction of two new academic buildings on the site to accommodate elementary students. The proposed scope of work also will include additional public infrastructure improvements, specifically, a new traffic signal and left turn lanes at the intersection of Agler Road and Wedge Drive and a shared use path along the south side of Agler Road from east of Bridgewalk Street to east of Inspire Drive. The KIPP Columbus Foundation has engaged Smoot Construction to oversee the construction of said improvements.

The City, acting through the Department of Public Service, has agreed to allocate up to \$2,400,000.00 to reimburse for eligible construction costs incurred relative to the completion of the additional public infrastructure improvements.

2. FISCAL IMPACT

Funding for the proposed expenditure is available as follows: \$400,000.00 in the General Permanent Improvement Fund, Fund 7748, and \$2,000,000.00 in the Streets and Highways Bond Fund, fund 7704. The funds in 7748 will need to be transferred between projects within the same fund and appropriated. The funds in 7704 will need to be transferred between projects within the same fund but are already appropriated.

3. 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.

To amend the 2021 Capital Improvement Budget; to authorize the transfer cash and appropriation of between projects within the General Permanent Improvement Fund and the Streets and Highways Bond Fund; to appropriate the sum of \$400,000.00 within the General Permanent Improvement Fund; to authorize the Director of Public Service to execute a Construction Guaranteed Maximum Reimbursement Agreement with the KIPP Columbus Foundation, or a designated agent thereof, to facilitate the construction of public infrastructure improvements associated with the expansion of the KIPP Columbus Campus; to authorize the expenditure of up to \$400,000.00 from the General Permanent Improvement Fund; to authorize the expenditure of up to \$2,000,000.00 from the Streets and Highways Bond Fund; and to declare an emergency. (\$2,400,000.00)

WHEREAS, KIPP Columbus is part of a national network of free, open enrollment, public schools focused on character building and college readiness and currently is ranked in the top 5 schools in Ohio for academic growth; and

WHEREAS, the City of Columbus, acting through the Department of Development, previously subsidized the

construction of certain public infrastructure improvements necessary to support the redevelopment of the former Bridgeview Golf Course into the current site of KIPP Columbus in Northeast area of the City, pursuant to an earlier reimbursement agreement; and

WHEREAS, the KIPP Columbus Foundation recently has undertaken an expansion effort, which will in the construction of two new academic buildings on the site to accommodate elementary students, in anticipation of doubling student enrollment to nearly 4,000 children in coming years; and

WHEREAS, additional public infrastructure improvements, including a new traffic signal and a shared use path, will be installed in concert with that effort; and

WHEREAS, the KIPP Columbus Foundation has engaged Smoot Construction to oversee the construction of said improvements; and

WHEREAS, the purpose of this ordinance is to authorize the Director of Public Service to execute a Construction Guaranteed Maximum Reimbursement Agreement with the KIPP Columbus Foundation, or a designated agent thereof, to support the completion of the additional public infrastructure improvements, the estimated cost of which is \$2,400,000.00; and

WHEREAS, an amendment to the 2021 Capital Improvement Budget and the appropriation of funds are necessary to provide sufficient budget authority, cash, and appropriation to support the aforementioned expenditure; and

WHEREAS, a transfer of cash and appropriation between projects within the Streets and Highways Bond Fund also is required to align cash in the proper 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 to enter into the requisite reimbursement agreement as soon as reasonably practicable so as to maintain the project schedule, 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 2021 Capital Improvement Budget authorized by Ordinance 2707-2021 be and is hereby amended to provide sufficient budget authority for the appropriate project authorized within this ordinance as follows:

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

7704 / P540007-100067 / Signal Installation - Hocking St and Hanover St (Voted Carryover) / \$1,300,000.00 / (\$753,220.00) / \$546,780.00

7704 / P530161-100185 / Roadway Improvements - Sancus Blvd Widening (Voted 2019 Debt SIT Supported) / \$1,250,000.00 / (\$1,246,780.00) / \$3,220.00

7704 / P531064-100000 / Roadway Improvements - Agler Road (Voted Carryover) / \$0.00 / \$753,220.00 / \$753,220.00

7704 / P531064-100000 / Roadway Improvements - Agler Road (Voted 2019) / \$0.00 / \$1,246,780.00 / \$1,246,780.00

7748 / P748999-100000 / 45-01 Unallocated Balance Fd. 748 (General Perm Imp Carryover) / \$330,472.00 / \$1,161,562.00 / \$1,492,034.00 (to match cash)

7748 / P748999-100000 / 45-01 Unallocated Balance Fd. 748 (General Perm Imp Carryover) / \$1,492,034.00 / \$400,000.00 / \$1,092,034.00

7748 / P531064-100000 / Roadway Improvements - Agler Road (General Perm Imp Carryover) / \$0.00 / \$400,000.00 / \$400,000.00

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 ending December 31, 2022, the sum of \$400,000.00 is appropriated in Fund 7748 (General Permanent Improvement Fund), Dept-Div 4501 (Financial

Management), Project P748999-100000 (45-01 Unallocated Balance Fd. 748), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

SECTION 3. That the transfer of cash and appropriation of \$400,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7748 (General Permanent Improvement Fund), from Dept-Div 4501 (Financial Management), Project P748999-100000 (Unallocated Balance Fund 7748), in Object Class 06 (Capital Outlay), to Dept-Div 5912 (Design and Construction), Project P531064-100000 (Roadway Improvements - Agler Road), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

SECTION 4. That the transfer of \$753,220.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5913 (Traffic Management), Project P540007-100067 (Signal Installation - Hocking St and Hanover St), in Object Class 06 (Capital Outlay), to Dept-Div 5912 (Design and Construction), Project P531064-100000 (Roadway Improvements - Agler Road), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

SECTION 5. That the transfer of \$1,246,780.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), from Dept-Div 5912 (Design and Construction), Project P530161-100185 (Roadway Improvements - Sancus Blvd Widening), in Object Class 06 (Capital Outlay), to Dept-Div 5912 (Design and Construction), Project P531064-100000 (Roadway Improvements - Agler Road), in Object Class 06 (Capital Outlay), per the accounting codes in the attachment to this ordinance.

SECTION 6. That the Director of Public Service be and hereby is authorized to execute a Construction Guaranteed Maximum Reimbursement Agreement with the KIPP Columbus Foundation, or a designated agent thereof, and to reimburse the same for eligible construction costs incurred during the completion of certain public infrastructure improvements undertaken as part of the expansion of the KIPP Columbus Campus.

SECTION 7. That the expenditure of \$400,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7748 (General Permanent Improvement Fund), Dept-Div 5912 (Design and Construction), Project P531064-100000 (Roadway Improvements - Agler Road), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

SECTION 8. That the expenditure of \$2,000,000.00, or so much thereof as may be needed, is hereby authorized within Fund 7704 (Streets and Highways Bond Fund), Dept-Div 5912 (Design and Construction), Project P531064-100000 (Roadway Improvements - Agler Road), in Object Class 06 (Capital Outlay) per the account codes in the attachment to this ordinance.

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 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.