Background: This ordinance authorizes the Director of the Recreation and Parks Department to enter into contract with Marker, Inc. dba Marker Construction for the Case Road Park - CMR Project. The contract amount of $8,000,000.00 is being authorized by this ordinance.

This $8,000,000.00 cost is the second of anticipated authorizations that will ultimately fund the construction of this park and its facilities. With a Construction Manager at Risk (CMR) contract and completed construction plans, Columbus Recreation and Parks negotiates a Guaranteed Maximum Price (GMP) for the project delivery. This authorization is part of that total GMP, which the CMR cannot exceed. Once the GMP is determined, the final modification to this contract will be requested for its remainder. The anticipated budget for the Project is $18,000,000.00. This authorization will allow for site construction to start this fall.

In 2018, Recreation and Parks acquired the former Ohio State University Agriculture Extension Sheep Farm at 2425 West Case Road. For several years, the department had identified the 58 acre site as a key community park space, as the parcel is one of the largest remaining undeveloped open spaces in the entire Northwest Community. At the same time, the surrounding neighborhoods have played an active role by providing support for the City's investment to buy the site and develop a signature green space for an underserved area. The property is surrounded by a high density of housing, with over 1,000 households within a 10 minute walk. The Carriage Place Community Center is also within 200 yards of the parkland.

The Recreation and Parks Department proposes to deliver the Case Road Park Project using a CMR. This method will provide an efficient delivery in this labor and material market. With the design being approximately 90% complete, early procurement continues to be proposed of long lead time materials such as electrical gear, building materials, site amenities, and roofing. Furthermore, construction activities will begin when permits start getting approved for this project in fall 2025.

The central core of the property will feature a community park with both active and passive amenities. These include sports fields, playgrounds, sports courts, walking trails, meadows, and naturalized areas with associated parking and other supporting infrastructure. A City of Columbus Forestry Outpost will occupy the northeast corner of the site. Area for a future Columbus Metropolitan Library branch will be reserved at the northwest corner of the property. Coordination between Columbus Recreation and Parks and the Columbus Metropolitan Library is ongoing, including potential cost sharing agreements for shared infrastructure.

Vendor Bid/Proposal Submissions (Office of Diversity and Inclusion designation status):

Bids were advertised through Vendor Services, in accordance with City Code Section 329, on July 16, 2024 and received by the Recreation and Parks Department on September 3, 2024. Bids were received from the following companies:

Marker, Inc. dba Marker Construction
The Ruhlin Company
Setterlin

After reviewing the bids that were submitted, it was determined that Marker, Inc. dba Marker Construction was the lowest and most responsive bidder. Marker, Inc. dba Marker Construction and all proposed subcontractors have met code requirements with respect to prequalification, pursuant to relevant sections of Columbus City Code Chapter 329.

Principal Parties:
Marker, Inc. dba Marker Construction
2011 Riverside Drive
Columbus, Ohio 43201
Mike Girouard, (614) 736-1019
Contract Compliance Number: 006989
Contract Compliance Expiration Date: September 27, 2026

Emergency Justification: Emergency action is requested so that funding is in place for site construction to begin in fall 2025 to avoid escalation of costs in the current labor and material market.

Benefits to the Public: West Case Park will be one of the major greenspaces for the northwest region of Columbus. The scale of this park will accommodate a wide range of passive and active recreation for all ages. The park will be designed to maximize walking and biking access, taking advantage of the close proximity to Carriage Place Community Center.

Community Input/Issues: Since 2017, the local communities have been extensively engaged with the Recreation and Parks Department in the acquisition and development of this greenspace. The Department has engaged with the Northwest Civic Association.

Area(s) Affected: Northwest (34)

Master Plan Relation: This project will support the Recreation and Parks Master Plan by providing quality parks and trails, while adding easy connectivity for Columbus residents of all ages.

Fiscal Impact: $8,000,000.00 is budgeted and available from within the Recreation and Parks Voted Bond Fund 7702 to meet the financial obligations of this expenditure. The funds will not be available to the Recreation and Parks Department until the proceeds of the 2024-2025 bond sale are available at a future date. Therefore, it is necessary to certify the required funds against the General Fund 1000, Income Tax Set Aside Subfund 100099. Upon the sale of bonds, this will be reimbursed.

To authorize the Director of the Recreation and Parks Department to enter into contract with Marker, Inc. dba Marker Construction for the Case Road Park Project; to authorize the transfer of $8,000,000.00 between the General Fund Income Tax Set Aside Subfund and the Recreation and Parks Bond Fund; to authorize the appropriation of $8,000,000.00 in the Income Tax Set Aside Subfund and Recreation and Parks Voted Bond Fund; to authorize the expenditure of $8,000,000.00 from the Recreation and Parks Voted Bond Fund; and to declare an emergency. ($8,000,000.00)

WHEREAS, it is necessary to authorize the Director of the Recreation and Parks to modify an existing contract with Marker, Inc. dba Marker Construction for the Case Road Park - CMR Project; 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 construction of the project described in this ordinance (the "Project"); and

WHEREAS, it is necessary to authorize the transfer of $8,000,000.00 between the General Fund 1000, Income Tax Set Aside Subfund 100099, and the Recreation and Parks Bond Fund, Fund 7702; and

WHEREAS, funds will need to be appropriated within the General Fund 1000, Income Tax Set Aside Subfund 100099

and within the Recreation and Parks Bond Fund, Fund 7702; and

WHEREAS, the City will reimburse the General Fund 1000, Income Tax Set Aside Subfund 100099; 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 $18,000,000.00; and

WHEREAS, it is necessary to authorize the expenditure of $8,000,000.00 from the Recreation and Parks Voted Bond Fund 7702; and

WHEREAS, an emergency exists in the usual daily operations of the Recreation and Parks Department in that it is immediately necessary to authorize the Director to enter into contract with Marker, Inc. dba Marker Construction so that funding is in place for site construction to begin in fall 2025 to avoid escalation of costs in the current labor and material market, all for the immediate preservation of the public health, peace, property, safety, and welfare; and **NOW, THEREFORE,**

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

SECTION 1. That the Director of the Recreation and Parks Department be and is hereby authorized to enter into contract with Marker, Inc. dba Marker Construction for the Case Road Park Project.

SECTION 2. 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 3. 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 4. 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 5. That from the unappropriated monies and from all monies estimated to come into said funds from any and all sources and unappropriated for any other purpose during the fiscal year ending December 31, 2025, the sum of $8,000,000.00 is appropriated in General Fund 1000, Income Tax Set Aside Subfund 100099, in Object Class 10 Transfer Out Operating, and in Fund 7702, Recreation and Parks Bond Fund, in Object Class 06 Capital Outlay per the account codes in the attachment to this ordinance.

SECTION 6. That the transfer of $8,000,000.00 or so much thereof as may be needed, is hereby authorized between the General Fund 1000, Income Tax Set Aside Subfund 100099, and the Recreation and Parks Bond Fund, Fund 7702, per the account codes in the attachment to this ordinance.

SECTION 7. That the City Auditor is hereby authorized to transfer said funds to the Recreation and Parks Voted Bond Fund 7702, 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 8. That upon obtaining other funds from the 2024-2025 Bond Sale for the City of Columbus, the City Auditor is hereby authorized and directed to repay the General Fund 1000, Income Tax Set Aside Subfund 100099 the amount transferred under Section 5.

SECTION 9. That the City intends that this ordinance constitutes an "official intent" for purposes of Section 1.150 2(e)

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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 $8,000,000.00 (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. That for the purpose stated in Section 1, the expenditure of $8,000,000.00, or so much thereof as may be necessary to pay the cost thereof, be and is hereby authorized from the Recreation and Parks Voted Bond Fund 7702 in object class 06 Capital Outlay per the accounting codes in the attachments to this ordinance.

SECTION 11. That this ordinance, for the reasons stated in the preamble, which are made a part of this ordinance and fully incorporated for reference as if rewritten, is declared to be an emergency measure and shall take effect and be in force from and after this ordinance's passage and approval by the Mayor or ten (10) days after its adoption if the Mayor neither approves nor vetoes the same.

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