



## Legislation Details (With Text)

**File #:** O-201-19      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 4/15/2019      **In control:** Public Utilities Department  
**On agenda:** 4/30/2019      **Final action:** 4/30/2019  
**Title:** Authorizing the mayor to execute a fourth amendment to the professional engineering services agreement with Black & Veatch Corporation to adjust the scope of services performed for the Environmental Protection Agency (EPA) Consent Decree project, increase the length of contract and increase the amount by \$800,000; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Audio: Agenda Review 4/23/2019, 2. Audio: City Council 4/30/2019

| Date      | Ver. | Action By    | Action                                          | Result |
|-----------|------|--------------|-------------------------------------------------|--------|
| 4/30/2019 | 1    | City Council | Dispense with the rules of Council requiring... | Pass   |
| 4/30/2019 | 1    | City Council | declare emergency                               | Pass   |
| 4/30/2019 | 1    | City Council | passage                                         | Pass   |

DPU043019TWIBlack&VeatchContractAmendment  
Department of Public Utilities  
Julie Cousino (x3671)  
(Revised)

**Authorizing the mayor to execute a fourth amendment to the professional engineering services agreement with Black & Veatch Corporation to adjust the scope of services performed for the Environmental Protection Agency (EPA) Consent Decree project, increase the length of contract and increase the amount by \$800,000; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

City Council approved the execution of a contract with Black & Veatch Corporation per Ordinance No. 364-02 on May 21, 2002 to provide professional engineering services for the Bay View Wastewater Treatment Plant and Collection System Modifications specified in the Clean Water Act and a Consent Decree negotiated with the State of Ohio and the United States Environmental Protection Agencies. On January 21, 2003, City Council enacted Ordinance No. 66-03 authorizing the First Amendment of the Black & Veatch Corporation contract to adjust the date for the commencement of services. The Second Amendment enacted on July 27, 2004 by Ordinance No. 451-04 authorized an adjustment of the scope of services to reflect the new implementation plan and increased the total compensation paid under the fifteen year contract. Third Amendments to the Black & Veatch Corporation contract were authorized by Ordinance 422-08 on July 15, 2008 to adjust the division of fees between program management and project implementation tasks and by Ordinance No. 30-18 on January 30, 2018 to extend the professional engineering services by three years to coincide with Toledo Waterways Initiative Phase II Master Program Schedule. This ordinance authorizes the Fourth Amendment to provide professional engineering services for the Compliance Phase of the Consent Decree as required by Chapter 15 of

the Long Term Control Plan. Said amendment includes an adjustment in both the scope of services and total compensation, as well as an extension to the contract completion date. The supplemental services will be paid with funds from the Water Pollution Control Loan Fund (WPCLF) loan for the Long Term Control Plan 2C Design Consent Decree project authorized by Ordinance No. 116-14, approved by City Council on March 25, 2014.

NOW, THEREFORE, Be it ordained by the Council of the City of Toledo:

SECTION 1. That the mayor is authorized to execute a fourth amendment to the professional engineering services agreement with Black & Veatch Corporation to adjust the scope of services to be performed for the Environmental Protection Agency (EPA) Consent Decree project, increase the term of contract to August 31, 2024, and increase the amount by \$800,000.

SECTION 2. That the amendment shall contain such other terms and conditions as the Director of Law deems to be in the best interest of the city.

SECTION 3. That the disappropriation of any remaining budget to fund balance at project closeout is authorized.

SECTION 4. That this ordinance is declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that the same is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that it is necessary to adjust the Black & Veatch scope of services in conformity with the actual work being performed under the EPA Consent Decree.

Vote on emergency clause: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Passed: \_\_\_\_\_, as an emergency measure: yeas \_\_\_\_\_, nays \_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

Approved: \_\_\_\_\_

\_\_\_\_\_  
Mayor

I hereby certify that the above is a true and correct copy of an Ordinance passed by Council  
\_\_\_\_\_.

Attest: \_\_\_\_\_  
Clerk of Council