



Legislation Details (With Text)

**File #:** O-390-21      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Agenda Ready

**File created:** 7/2/2021      **In control:** Public Utilities Department

**On agenda:** 7/20/2021      **Final action:** 7/20/2021

**Title:** Authorizing the expenditure of an amount not to exceed \$250,000 from the Sewer Replacement Fund for the emergency replacement of the sanitary sewer on Jefferson Avenue and 16th Street; authorizing the mayor to enter into necessary agreement with Edward Kelly & Sons; waiving the competitive bidding requirement of the TMC 187; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bullet Points

Date	Ver.	Action By	Action	Result
7/20/2021	1	City Council	Dispense with the rules of Council requiring...	Pass
7/20/2021	1	City Council	declare emergency	Pass
7/20/2021	1	City Council	passage	Pass

DPU072021JEFFERSON&16THEMERGENCYREPAIR  
 Division of Engineering Services  
 Christy Soncrant (x2826)  
 Revised

**Authorizing the expenditure of an amount not to exceed \$250,000 from the Sewer Replacement Fund for the emergency replacement of the sanitary sewer on Jefferson Avenue and 16<sup>th</sup> Street; authorizing the mayor to enter into necessary agreement with Edward Kelly & Sons; waiving the competitive bidding requirement of the TMC 187; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

The existing 24” sanitary sewer located under the AT&T vault at Jefferson Avenue and 16th Street collapsed. Due to the existing utilities, open cut was not possible so a contractor had to tunnel a new pipe in. Edward Kelly & Sons was hired to perform the sewer work. Sufficient funds are available from approved appropriations to pay for this emergency sewer replacement.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$250,000
- The expenditure budget line item: 6073-35000-4UC0821STDSTD
- New revenue generated (operational revenue, grants, if any): n/a
- Revenue budget line item (if any): n/a
- Are funds budgeted in the current fiscal year (yes/no)? : yes
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? existing

- What section of the City’s Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) no
  - o Quality Community Investment (Livable City, Development) (yes/no) yes
  - o Workplace Culture & Customer Service (yes/no) no
  - o Environment (yes/no) no

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

SECTION 1. That an amount not to exceed \$250,000 is authorized for expenditure from the Sewer Replacement Fund, Account Code 6073-35000-4UC0821STDSTD for the emergency sewer replacement at Jefferson Avenue and 16<sup>th</sup> Street.

SECTION 2. That the mayor is authorized to enter into an agreement with Edward Kelly & Sons for the purpose listed in Section 1 upon such terms and conditions as approved by the Director of Public Utilities and the Director of Law.

SECTION 3. That City Council finds and determines that it is in the best interest of the city that the competitive procurement requirements of Chapter 187 of the Toledo Municipal Code are waived for the reason that emergency repairs were needed to maintain uninterrupted utility services and for the further reason that the repair costs were deemed reasonable and necessary by the Director of Public Utilities.

SECTION 4. That the Director of Finance is authorized to issue his warrant or warrants against the account code listed in Section 1 in an amount not to exceed \$250,000 in payment of the above-authorized obligations upon presentation of the proper voucher or vouchers.

SECTION 5. That the disappropriation of any remaining budget to fund balance is authorized at project closeout.

SECTION 6. 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 this Ordinance is necessary for the immediate preservation of the public peace, health, safety and property, and for the further reason that this Ordinance must be immediately effective in order to reimburse the contractors for their emergency work.

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