



Legislation Details (With Text)

**File #:** O-274-24      **Version:** 1      **Name:**

**Type:** Ordinance      **Status:** Approved

**File created:** 5/2/2024      **In control:** Public Utilities Department

**On agenda:** 6/5/2024      **Final action:** 6/5/2024

**Title:** Authorizing the appropriation and expenditure in an amount not to exceed \$1,000,000 from the Sewer Replacement Fund for the purchase and installation of draft tube mixers at the Bay View Water Reclamation Plant; waiving the competitive procurement provisions of TMC Chapter 187 for this purchase; authorizing the Mayor to accept bids and award contracts for the installation of draft tube mixers; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
6/5/2024	1	City Council		
6/5/2024	1	City Council		
6/5/2024	1	City Council		

DPU052224DRAFFTUBEMIXERS

Water Reclamation

Andy McClure (x7866)

Revised

**Authorizing the appropriation and expenditure in an amount not to exceed \$1,000,000 from the Sewer Replacement Fund for the purchase and installation of draft tube mixers at the Bay View Water Reclamation Plant; waiving the competitive procurement provisions of TMC Chapter 187 for this purchase; authorizing the Mayor to accept bids and award contracts for the installation of draft tube mixers; and declaring an emergency.**

**SUMMARY & BACKGROUND:**

Ovivo USA, LLC (Ovivo), is the original equipment manufacturer of draft tube mixers installed in the anaerobic digester tanks at the Bay View Water Reclamation Plant. These mixers are used to mix stored sludge to facilitate biological activity to break down thickened sludge for the sustainable purpose of reducing the volume of sludge while converting volatile solids to biogas, a renewable source of energy. The Division of Water Reclamation is seeking a contract with Ovivo in an amount not to exceed \$750,000 for the purchase of new draft tube mixers and associated equipment, and a contract with a construction contractor in an amount not to exceed \$250,000 for the installation, testing and commissioning of these draft tube mixers. Funds are available in the Sanitary Sewer Replacement Fund.

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

SECTION 1. That the appropriation of \$1,000,000 is authorized from the unappropriated balance of the Sewer Replacement Fund to Account Code 6073-36000-4UC2524STDSTD for the purchase, installation, testing and commissioning of draft tube mixers and associated equipment for the anaerobic digestion process at the Bay View Water Reclamation Plant, and the expenditure of the same is authorized.

SECTION 2. That the Mayor is authorized to enter into an equipment purchase contract with Ovivo, Inc. in an amount not to exceed \$750,000 for the purchase of draft tube mixers and associated equipment for the anaerobic digestion process at the Bay View Water Reclamation Plant, upon terms and conditions approved by the Director of Public Utilities and the Director of Law.

SECTION 3. That this Council finds and determines it is in the best interest of the City to waive the competitive procurement provisions of TMC Chapter 187 for the equipment in Section 2 for the reason that equipment standardization is critical for operation continuity and equipment availability within the anaerobic digestion process at the Bay View Water Reclamation Plant.

SECTION 4. That the Mayor is authorized to accept bids and award contracts in an amount not to exceed \$250,000 for construction services related to the installation of draft tube mixers and associated equipment for the anaerobic digestion process at the Bay View Water Reclamation Plant, upon terms and conditions approved by the Director of Public Utilities and the Director of Law.

SECTION 5. That the Finance Director is authorized to issue their warrant or warrants against the Account Code identified in Section 1 and not to exceed amounts identified in Sections 2 and 4 in payment of the obligations authorized herein above upon presentation of the proper voucher or vouchers.

SECTION 6. That any remaining budget to fund balance at project closeout is authorized for disappropriation.

SECTION 7. That this Ordinance is declared to be an emergency measure and shall take effect and be in force 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 purchase and install draft tube mixers and associated equipment for the anaerobic digestion process at the Bay View Water Reclamation Plant.

Vote on emergency clause: yeas 10, nays 0.

Passed: June 5, 2024, as an emergency measure: yeas 10, nays 0.

Attest:

Julie A. Gibbons  
Clerk of Council

Carrie Hartman  
President of Council

Approved:

June 10, 2024  
Wade Kapszukiewicz  
Mayor