



Legislation Details (With Text)

File #: O-214-23 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 4/4/2023 **In control:** Public Utilities Department
On agenda: 4/18/2023 **Final action:** 4/18/2023
Title: Authorizing the expenditure of \$12,300 from the Sanitary Sewer Operating Fund to Ed Kelly & Sons for the emergency cleaning, CCTV, and grouting of the 24" sewer main located near 513 Madison Avenue; authorizing the mayor to enter into necessary contracts; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
4/18/2023	1	City Council	Suspension	Pass
4/18/2023	1	City Council	Emergency	Pass
4/18/2023	1	City Council	Passage	Pass

DPU041823Madison
Sewer & Drainage Services
Calvin Harris (x2170)
Revised

Authorizing the expenditure of \$12,300 from the Sanitary Sewer Operating Fund to Ed Kelly & Sons for the emergency cleaning, CCTV, and grouting of the 24" sewer main located near 513 Madison Avenue; authorizing the mayor to enter into necessary contracts; finding that the competitive procurement process was waived under TMC Section 187.20; and declaring an emergency.

SUMMARY & BACKGROUND:

Sewer inspectors were made aware of a cave next to an Edison vault which prevented us from doing a normal repair to sewer main 0133 located near 512 Madison Avenue. Due to the cave and proximity of the vault, a repair (grouting) had to be made. The repair (grouting, cleaning, and CCTV) was considered an emergency to assure the safety of the citizens. The Department of Public Utilities (DPU) required the expertise and equipment available through a private contractor to complete repairs in February of 2023. TMC Section 187 requires City Council to be informed of the emergency and for authorization to pay the repair and waiving the competitive bidding. Sufficient funds are available within the DPU operating budget to pay for this emergency sanitary sewer repair.

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

SECTION 1. That the sum of \$12,300 is authorized for expenditure from the Sanitary Sewer Operating

Fund, Account Code 6070-37000-4000558STDSTD, to Ed Kelly & Sons for payment of the emergency sewer system repair (grouting, cleaning, and CCTV) near 513 Madison Avenue.

SECTION 2. That the Mayor is authorized to enter into a contract for the purpose authorized in Section 1, upon terms and conditions acceptable to the Director of Public Utilities and Director of Law.

SECTION 3. That Council finds and determines that, pursuant to TMC Chapter 187.20, formal competitive bidding was waived for the reason that it was an emergency that could not have been reasonably foreseen and would result in an interruption or detriment to utility services and the repair cost has been deemed reasonable by the Director of Public Utilities.

SECTION 4. That the Finance Director is authorized to issue warrant or warrants against the account code identified in Section 1 in an amount not to exceed \$12,300 in payment of the above authorized obligations upon presentation of proper voucher or vouchers.

SECTION 5. That this Ordinance is declared to be an emergency measure and shall be in force and effect 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 facilitate the expeditious payment of the invoice received for the emergency repair (grouting, cleaning, and CCTV) relating to the cave near the Edison vault in the right of way on sewer main No. 0133, near 513 Madison Avenue.

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