



## Legislation Text

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**File #: O-318-18, Version: 1**

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DPU081418FassettStreetCombinedSewerOverflowRepair  
Engineering Services  
Scott Sibley (x2851)  
Revised

**Authorizing the appropriation of \$137,500 from the Sanitary Sewer Replacement Fund for the Fassett Street and Levis Square Combined Sewer Overflow Repairs; waiving competitive bidding requirements of TMC Chapter 187 and entering into contracts for said project; and declaring an emergency.**

### SUMMARY & BACKGROUND:

This ordinance appropriates funds and authorizes an emergency contract to make repairs at the Fassett Street Combined Sewer Overflow (CSO) to prevent excessive sewer overflows and to seal a sinkhole caused by a combined sewer in Levis Square. The Fassett St. CSO had been experiencing blockages of stone getting into the sewer which were causing excessive sewer overflows. The source of the stone was traced to defects in an upstream manhole at Fassett St. just west of Miami St. Repair of this manhole and removal of all of the stone and sealing of a sinkhole in Levis Square was beyond the capability of the Sewers and Drainage Division. The Division of Engineering Services requested quotes from several contractors to repair the manhole, clean out all the excess stone in the sewers, and fill the underground voids. Ed Kelly and Sons submitted the lowest and best quote and has now completed the repairs for less than their estimate.

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

SECTION 1. That an amount not to exceed \$137,500 is appropriated from the unappropriated balance of the Sanitary Sewer Replacement Fund into Account Code 6073-35000-4UC1218STDSTD for the Fassett Street and Levis Square CSO Repair projects, and said amount is authorized for expenditure.

SECTION 2. That the mayor is authorized award contracts for the Fassett Street and Levis Square CSO Repair projects including such items as labor and materials necessary to undertake said projects. Said contracts shall contain such terms and conditions as the mayor may deem requisite and proper, and shall be subject to approval by the Directors of Law and Public Utilities.

SECTION 3. That this Council finds that it is in the best interest of the city to waive the competitive bidding requirement of TMC Chapter 187 for the reason that this emergency repair was expeditiously completed in order to stop the sewer overflow as required by EPA.

SECTION 4. That the Finance Director is authorized to issue his warrant or warrants against the above listed Account Code in an amount not to exceed the amount listed above in payment of the obligations authorized upon presentation of 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 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 compensate the contractor for repairs made.

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