



## Legislation Text

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**File #:** O-623-21, **Version:** 1

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DON Professional Services  
Department of Housing & Community Development  
R. Clemens (x3647)

**Authorizing the Mayor to enter into a professional services agreement related to the environmental remedial activities to city owned real property, located 1157 Grand Ave. Toledo, Ohio; authorizing the expenditure of funds not to exceed \$150,000 from the Community Development Block Grant Fund; waiving the competitive procurement provisions of TMC Chapter 187; and declaring an emergency.**

### SUMMARY & BACKGROUND:

The property at 1157 Grand Ave., known as the former Driggs Dairy, is currently owned by the City of Toledo. In order to address the identified contaminants at the site and planned residential use, the Department of Housing and Community Development in coordination with MVAH Holdings, LLC., desires to engage a qualified professional environmental consulting firm to prepare environmental reports for the remedial activities which will be compliant with Ohio Environmental Protection Agency's Voluntary Action Program (VAP). The VAP was created to allow entities to investigate possible environmental contamination, clean it up or undertake remedial activities and receive a legal release from the State of Ohio that no further action is needed (NFA). In order to satisfy time constraints related to the future site redevelopment, it is imperative that these remedial activities be expedited. This legislation seeks authorization for the expenditure of an amount not to exceed \$150,000 for these professional services.

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

SECTION 1. That Mayor and the Director of Department of Housing and Community Development is authorized to enter into professional services contract related the preparation of VAP reports for the city owned real property located at 1157 Grand Ave. Toledo, Oh., under the terms acceptable to the Director of Law.

SECTION 2. That this Council finds and determines that it is in the best interests of the city to waive competitive bidding provisions of TMC Chapter 187 for the reason that retaining an environmental consultant for the remediation of the subject property absent the time necessary to obtain formal bids allows for compliance with project milestone schedule at a cost competitive basis. Said waiver will avoid project delay and allow retaining a consultant with specialized knowledge of the property.

SECTION 3. That the expenditure of an amount not to exceed \$150,000 is authorized from the Community Development Block Grant, Account Code 2015-16200-537400-5G45004822REH for the purpose authorized herein.

SECTION 4. That the Finance Director is authorized to draw his warrant or warrants against the above Account Code upon presentation of the proper voucher or vouchers for expenditures authorized herein.

SECTION 5. That this Ordinance is declared 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 this ordinance must be immediately effective in order to timely effectuate remediation of property for redevelopment.

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