



## Legislation Details (With Text)

**File #:** O-117-20      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 3/9/2020      **In control:** Public Service Department  
**On agenda:** 3/24/2020      **Final action:** 3/18/2020

**Title:** Authorizing the expenditure of \$1,000,000 from the Capital Improvement Fund for the Seawall Project; authorizing the mayor to enter into a supplemental agreement with Mannik & Smith Group to complete the design of the Seawall Project; waiving the competitive procurement requirements of TMC 187 with respect to the supplemental agreement; authorizing the mayor to award contracts to complete the repairs of the Seawall Project within the Division of Streets, Bridges & Harbor; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. Bullet Points

Date	Ver.	Action By	Action	Result
3/18/2020	1	City Council		
3/18/2020	1	City Council		
3/18/2020	1	City Council		

DPS 2020 SBH Seawall \$1,000,000

Streets, Bridges & Harbor

Jeremy Mikolajczyk (x1537)/Paul M. Rasmusson (x7868)

Revised

**Authorizing the expenditure of \$1,000,000 from the Capital Improvement Fund for the Seawall Project; authorizing the mayor to enter into a supplemental agreement with Mannik & Smith Group to complete the design of the Seawall Project; waiving the competitive procurement requirements of TMC 187 with respect to the supplemental agreement; authorizing the mayor to award contracts to complete the repairs of the Seawall Project within the Division of Streets, Bridges & Harbor; and declaring an emergency.**

### SUMMARY & BACKGROUND:

In 2019 the Division of Streets, Bridges & Harbor competitively bid the Downtown Waterfront Seawall Inspection by entering into a contract with the lowest and best bid, Mannik & Smith Group. As a result of Mannik & Smith Group's inspection and recommendations, a large section of the concrete walkway on the riverfront in Promenade Park has been closed to traffic due to structural concerns. This section of the park is typically heavily traveled by foot and bicycle. It is the desire of the City of Toledo to repair and restore the necessary sections of seawall to provide a safe multi-use path along the riverfront downtown. It is imperative that the final design of the Promenade Park Seawall be authorized immediately in order for construction to be bid and completed prior to the start of the Solheim Cup in 2021. Mannik & Smith is prepared to immediately proceed with the necessary environmental requirements and final design for the amount of \$63,800.

The fiscal impact of this Ordinance is as follows:

- The amount of funds requested: \$1,000,000
- The expenditure budget line item: 5040-23100-8CP2029SEAWAL
- New revenue generated (operational revenue, grants, if any): none
- Revenue budget line item (if any): none
- Are funds budgeted in the current fiscal year (yes/no)?: yes, this was included in the approved 2020 CIP budget
- Is this a capital project (yes/no)? yes
- If yes, is it new or existing (new/existing)? Replace existing
- What section of the city's Strategic Plan does this support:
  - o Excellence in Basic Services (yes/no) yes
  - 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 the sum of \$1,000,000 is authorized for expenditure from the Capital Improvement Fund Account Code 5040-23100-8CP2029SEAWAL, for the Seawall Project.

SECTION 2. That this Council finds it is in the best interest of the City to waive the competitive procurement requirements of TMC Chapter 187 for the reason that the supplemental is with the same contractor that was recently determined to be lowest and best through the formal competitive procurement requirements of TMC Chapter 187 for seawall inspection, which inspection revealed needed seawall repairs and in the interest of time Mannik & Smith Group is best situated to complete the design of the seawall repair project at its same competitive cost.

SECTION 3. That the mayor is authorized to enter into a supplemental agreement with Mannik & Smith Group for the design of the Seawall Project.

SECTION 4. That the mayor is authorized to accept bids and award contracts for the construction portion of the Seawall Project upon such terms and conditions as approved by the Director of Public Service and the Director of Law.

SECTION 5. That the Finance Director is authorized to draw his warrant or warrants against the account code identified in Section 1 in amounts not to exceed \$1,000,000 in payment of the obligations authorized above upon presentation of the proper voucher or vouchers.

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 same is necessary for the preservation of the public peace, health, safety and property and for the further reason that this Ordinance must be immediately effective in order to meet deadlines for design, bid, and construction of seawall repairs prior to the start of the Solheim Cup in 2021.

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