



Legislation Details (With Text)

File #: O-455-20 **Version:** 1 **Name:**
Type: Ordinance **Status:** Approved
File created: 11/3/2020 **In control:** Public Utilities Department
On agenda: 11/17/2020 **Final action:** 11/17/2020

Title: Authorizing the mayor to execute a professional services agreement for up to a three-year period with The Mannik & Smith Group, Inc. to provide engineering oversight services to the Department of Public Utilities and City Council on the Toledo Waterways Initiative (TWI) project; waiving the competitive procurement provisions of TMC Chapter 187; authorizing the appropriation and expenditure of \$350,000 from the unappropriated balance of the Sewer Bond Improvement Fund; and declaring an emergency.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/17/2020	1	City Council		
11/17/2020	1	City Council		
11/17/2020	1	City Council		

TWI ENGINEERING OVERSIGHT

Utilities Administration

Ed Moore (x1845)

(Revised)

Authorizing the mayor to execute a professional services agreement for up to a three-year period with The Mannik & Smith Group, Inc. to provide engineering oversight services to the Department of Public Utilities and City Council on the Toledo Waterways Initiative (TWI) project; waiving the competitive procurement provisions of TMC Chapter 187; authorizing the appropriation and expenditure of \$350,000 from the unappropriated balance of the Sewer Bond Improvement Fund; and declaring an emergency.

SUMMARY & BACKGROUND:

City Council enacted Resolution No. 407-02 expressing its intent to provide oversight to the implementation of the EPA consent decree by means of an oversight committee. The following ordinances authorized the mayor to execute a professional services agreement with The Mannik & Smith Group, Inc. and appropriate money: 323-03, 395-06, 448-07, 323-09, 387-10, 305-11, 254-12, 356-13 and 273-14. This ordinance authorizes a professional services agreement with the Mannik & Smith Group, Inc. for the compliance phase of the engineering oversight services for a one-year period with the option to renew for two additional one-year periods; and appropriates funds for the professional services from the Sanitary Sewer Bond Improvement Fund. City Council enacted Ordinance 376-15 to Mannik & Smith Group, Inc., for the engineering oversight over the TWI Project which expired in 2020.

The fiscal impact of this ordinance is as follows:

- The amount of funds requested: \$350,000
- The expenditure budget line items: 6072-31000-4XB1518STDSTD
- 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)? no
- Is this a capital project (yes/no)? no
- If yes, is it new or existing (new/existing)? 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) yes
 - o Environment (yes/no) yes

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

SECTION 1. That the mayor is authorized to execute a professional services agreement with The Mannik & Smith Group, Inc. to provide engineering oversight services to the Department of Public Utilities and City Council on the Toledo Waterways Initiative (TWI) project under such terms and conditions that are acceptable to the Director of Public Utilities and the Director of Law.

SECTION 2. That the amount of \$350,000 is authorized to be appropriated from the unappropriated balance of the Sewer Bond Improvement Fund into Account Code 6072-31000-4XB1518STDSTD; and further authorizing the expenditure of same for professional services payment to the Mannik & Smith Group, Inc.

SECTION 3. That this Council finds it to be in the best interest of the City to waive the competitive procurement provisions of TMC Chapter 187 for the reason that Mannik & Smith Group, LLC is currently deployed for support services for the TWI Engineering Oversight and has familiarity with the program, which will allow for a final conclusion of the project in a timely and cost-efficient manner.

SECTION 4. That the disappropriation of any remaining budget to fund balance is authorized at project closeout.

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 the Ordinance must be immediately effective for the timely payment to the Mannik & Smith Group, Inc. for engineering oversight for the Toledo Waterways Initiative Program to meet the requirements of the City's Consent Decree with the USEPA.

Vote on emergency clause: yeas 12, nays 0.

Passed: November 17, 2020, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger
Clerk of Council

Matt Cherry
President of Council

Approved: November 18, 2020
Wade Kapszukiewicz
Mayor