



## Legislation Details (With Text)

**File #:** O-415-22      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 7/22/2022      **In control:** Public Service Department  
**On agenda:** 8/16/2022      **Final action:** 8/16/2022  
**Title:** Authorizing the expenditure of an amount not to exceed \$10,760 from the General Fund for the purpose of cleaning and rehabilitating storm water control features at the Hoffman Road Landfill; authorizing the Mayor to execute the necessary supplement to an existing contract addressing additional, unanticipated work; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
8/16/2022	1	City Council	Suspension	Pass
8/16/2022	1	City Council	Emergency	Pass
8/16/2022	1	City Council	Passage	Pass

DPS Sediment Pond Cleaning \$10,760

Solid Waste

Scott Lockhart (x2642)/Paul M. Rasmusson (x7868)

Revised

**Authorizing the expenditure of an amount not to exceed \$10,760 from the General Fund for the purpose of cleaning and rehabilitating storm water control features at the Hoffman Road Landfill; authorizing the Mayor to execute the necessary supplement to an existing contract addressing additional, unanticipated work; and declaring an emergency.**

### SUMMARY & BACKGROUND:

Contract No. 46-5822 was executed on November 22, 2021 to remove sediment and vegetation from three landfill storm water ponds, as well as rehabilitate the outlet structure of one pond. Bidding and bid evaluation were completed in accordance with the process described in TMC 187. This work was necessary, not only to comply with the requirements of the landfill's new operating permit, but to also ensure continued compliance with operating provisions contained in Ohio Administrative Code (OAC) 3745-27-19. Funding for said infrastructure project was included in the Division's approved operating budget for 2021 and authorized by Ordinance 479-21, which authorized an expenditure up to \$200,000. Work was initiated in December 2021 and was completed in June 2022 in accordance with an agreed upon schedule. It was necessary to remove an additional volume of sediment, beyond the original estimated amount, to meet the project objectives and ensure regulatory compliance, resulting in a total project balance due of \$210,760.

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

SECTION 1. That the Mayor and Commissioner of Purchasing are authorized to execute a supplement

to Contract 46-5822 with Edward Kelly & Sons, Inc. to complete the cleaning and rehabilitation of storm water control features at the Hoffman Road Landfill.

SECTION 2. That a sum not to exceed \$10,760 is authorized from the General Fund, Account Code 1001-24500-6232002STDSTD for the contract services referenced in Section 1.

SECTION 3. That the Director of Finance is authorized to draw warrant or warrants against the Account Code identified in Section 2 above in an amount not to exceed \$10,760 in payment of the remaining obligations incurred pursuant to the above authorized contract upon presentation of proper voucher or vouchers.

SECTION 4. 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 immediate preservation of the public peace, health, safety, and property. This Ordinance must be immediately effective in order to timely execute a supplemental to a contract with Edward Kelly & Sons, Inc. such that the remaining amount due the contractor, for work done to ensure regulatory compliance, may be paid.

Vote on emergency clause: yeas 12, nays 0.

Passed: August 16, 2022 as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

August 16, 2022  
Wade Kapszukiewicz  
Mayor