



## Legislation Details (With Text)

**File #:** O-077-23      **Version:** 1      **Name:**  
**Type:** Ordinance      **Status:** Approved  
**File created:** 1/26/2023      **In control:** Public Utilities Department  
**On agenda:** 2/21/2023      **Final action:** 2/21/2023  
**Title:** Authorizing the Mayor to enter into a contract with Ovivo USA LLC. for the manufacturing of Gravity Thickener Tank Equipment; waiving the competitive provisions of TMC 187; and declaring an emergency.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
2/21/2023	1	City Council	Suspension	Pass
2/21/2023	1	City Council	Emergency	Pass
2/21/2023	1	City Council	Passage	Pass

DPU022123GRAVITYTHICKENERREBUILD  
Water Reclamation  
Andy McClure (x3058)

**Authorizing the Mayor to enter into a contract with Ovivo USA LLC. for the manufacturing of Gravity Thickener Tank Equipment; waiving the competitive provisions of TMC 187; and declaring an emergency.**

### SUMMARY & BACKGROUND:

Ordinance 366-22 authorized the expenditure of an amount not to exceed \$1,500,000 for the Gravity Thickener Rebuild Project at the Water Reclamation Plant (Plant). There are two Gravity Thickener Tanks configured to accept the original equipment manufactured by Ovivo USA LLC. Because of this, the Plant needs to specifically purchase equipment for both tanks directly from Ovivo USA LLC., who is the owner of the original equipment specifications, which will require waiving competitive bidding. The funding authorization for this purchase is set forth in Ord. 366-22.

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

SECTION 1. Authorizing the Mayor to enter into a contract with Ovivo USA LLC. for the manufacture of a Gravity Thickener Tank equipment, including terms and conditions acceptable to the Directors of Public Utilities and Law.

SECTION 2. That the competitive bidding requirements of TMC 187 are hereby waived as to Ovivo USA LLC., allowing the Plant to purchase the necessary equipment directly from the manufacturer.

SECTION 3. That the Ordinance is declared to be an emergency measure and shall take effect and be in

force 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 to maintain the operational integrity of the Water Reclamation Plant, and to maintain compliance with the NPDES discharge permit requirements, as set forth by the Ohio EPA.

Vote on emergency clause: yeas 12, nays 0.

Passed: February 21, 2023, as an emergency measure:  
yeas 12, nays 0.

Attest:  
Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved: February 22, 2023  
Wade Kapszukiewicz  
Mayor