



## Legislation Text

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**File #:** O-308-23, **Version:** 1

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DPU053023VACTORTRUCK

Water Reclamation

Andy McClure (x2607)

Revised

**Authorizing the expenditure of \$614,885 from the Sewer Replacement Fund for the emergency purchase of a specially outfitted vactor truck suitable for cleaning storage basins and pumping stations constructed as part of the Toledo Water Ways Initiative; waiving the competitive procurement process under TMC Section 187; and declaring an emergency.**

### SUMMARY & BACKGROUND:

Basins and pumping stations that are part of the Toledo Waterways Initiative were constructed to depths below typical sewer depths within Toledo's collection system area. Additionally, because they collect largely surface runoff, they are subject to heavier grit loads than typical sanitary sewer structures. Because the conditions were unique to TWI structures and the need for a vactor to handle these conditions resulted from the TWI consent decree, the funding agency agreed it was reasonable and allowable to include purchase of a vactor suitable for the TWI conditions under fund loans for the TWI project. Water Reclamation negotiated with Jack Doheny Company for expedited fabrication of the vactor to have it available for the 2023 rainy season. The only comparable unit available on that short turnaround did not meet specifications and was a used vehicle.

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

SECTION 1. That the expenditure of \$614,885 from the Sewer Replacement Fund Account Code 673L-36000-4XL1317STDSTD for the purchase of a specialty vactor truck for the Division of Water Reclamation.

SECTION 2. That the Mayor is authorized to enter into an emergency contract with Jack Doheny Company for the purchase of a specialty vactor truck, upon terms and conditions approved by the Director of Public Utilities and the Director of Law.

SECTION 3. That Council finds and determines that the competitive procurement provisions of TMC Chapter 187 are waived for the reason that it the purchase is an emergency that could not have been reasonably foreseen and that otherwise would result in an interruption or detriment to utility services and possible risk of jeopardizing public health and safety.

SECTION 4. That the Finance Director is authorized to issue warrant or warrants against the Account Code identified in Section 1 in an amount not to exceed \$614,885 in payment of the obligations authorized above upon presentation of the proper voucher or vouchers.

SECTION 5. That this 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 purchase the vactor truck and preserve public health and safety.

Vote on emergency clause: yeas 12, nays 0.

Passed: May 30, 2023, as an emergency measure: yeas 12, nays 0.

Attest:

Gerald E. Dendinger  
Clerk of Council

Matt Cherry  
President of Council

Approved:

May 30, 2023  
Wade Kapszukiewicz  
Mayor