



## Legislation Text

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**File #:** O-121-24, **Version:** 1

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DPU032724Water Rec Admin Bldg  
Utilities Administration  
Andrew McClure (x7866)  
Revised

**Authorizing the appropriation and expenditure in an amount not to exceed \$170,858 from the Sanitary Sewer Replacement Fund for the emergency repair/remediation of the Water Reclamation Administration Building located on 3900 Summit Street; authorizing the Mayor to enter into necessary agreements for the emergency repairs and remediation; waiving the competitive bidding requirements of TMC 187 as an emergency repair pursuant to TMC 187.20; and declaring an emergency.**

### SUMMARY & BACKGROUND:

In the early hours of December 25, 2022, the Water Reclamation Administration Building's sprinkler system burst as a result of the extreme wind and freezing temperatures, flooding the building's basement, first floor offices and attic. This unforeseen event required immediate remediation/cleanup and repairs, including water-damaged document preservation. On the afternoon of December 25, 2022, after consultation with the Risk Manager and the Division of Water Reclamation, Cousino Restoration & Environmental was called upon on an emergency basis to begin the remediation, cleanup, and emergency repair of the damage to the administration building and preservation of documents as required by the EPA. This loss is an insurable event under the City's Risk Management property insurance policy. The insurance claim remains open pending the completion of repairs and finalization of costs. Sufficient funds are available within the Water Reclamation Fund to reimburse Cousino Restoration & Environmental for its costs for the emergency services and repairs provided.

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

SECTION 1. That an amount not to exceed \$170,858 is appropriated from the Sanitary Sewer Replacement Fund to Account Code 6073-36000-4UC4623STDSTD; and expenditure of the same is authorized for the emergency repair/remediation of the Water Reclamation Administration Building located on 3900 Summit Street.

SECTION 2. That the Mayor is authorized to enter into an agreement with Cousino Restoration & Environmental for the purpose listed in Section 1 upon such terms and conditions as approved by the Director of Public Utilities and the Director of Law.

SECTION 3. That this Council finds it in the best interest of the city to waive the competitive procurement requirements of Chapter 187 of the Toledo Municipal Code as an emergency matter pursuant to TMC 187.20 for the reason that emergency repairs were needed to maintain uninterrupted operation of the facility and for the further reason that the costs of remediation/cleanup, repairs and document preservation have been deemed reasonable and necessary by the City's Risk Manager and Division of Water Reclamation.

SECTION 4. That the Director of Finance is authorized to issue their warrant or warrants against the Account Code listed in Section 1 in the amount of \$170,858 in payment of the above-authorized obligations upon presentation of the proper voucher or vouchers.

SECTION 5. That the disappropriation of any remaining budget to fund balance is authorized at project closeout.

SECTION 6. That this Ordinance is declared to be an emergency measure and shall take effect and be in force immediately 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 reimburse the contractors for their emergency work.

Vote on emergency clause: yeas 11 , nays 0.

Passed: March 27, 2024, as an emergency measure: yeas 11, nays 0.

Attest: Julie Gibbons

Carrie Hartman

Clerk of Council

President of Council

Approved: February 21, 2024

Wade Kapszukiewicz

Mayor