

ORDINANCE NO. 19-034

AN ORDINANCE APPROVING THE EMERGENCY WORK AT THE CHEMICAL BUILDING AT THE BIG ISLAND WATER WORKS (BIWW) PLANT; RATIFYING THE EMERGENCY SERVICES PERFORMED AND AUTHORIZING FURTHER SERVICES TO BE PERFORMED BY ADENA CORPORATION OF MANSFIELD, OHIO, RELATING TO THE SODIUM HYPOCHLORITE TANKS IN THE AMOUNT OF \$61,579.00; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, on September 7, 2018, one (1) of the two (2) high-density polyethylene (HDPE) sodium hypochlorite tanks, used to maintain chlorine residual at BIWW for disinfection and necessary for producing potable water, experienced an elastic deformation and crack near the bottom of the tank and the material remaining in the failed tank was pumped to the other bulk tank that is the same age, manufacture and material, and is therefore liable for the same failure at any time; and

WHEREAS, the City Manager notified this City Commission at their September 10, 2018, regularly scheduled meeting of the emergency nature of the situation and a motion was passed approving the emergency repairs and replacement of the tank; and

WHEREAS, pursuant to Section 24 of the City Charter the emergency nature of the work obviates the necessity to comply with formal competitive bidding and advertising; and

WHEREAS, the Chemical Building, where both bulk tanks are stored, does not have a door and therefore a door is needed to accommodate removal and replacement of the large bulk tanks thus quotes were requested for the installation of a door, including wall reconstruction and utility relocation, and five (5) quotes were received and the quote from Adena Corporation of Mansfield, Ohio was determined to be the lowest and best quote and subsequently the door was installed in December of 2018; and

WHEREAS, authorization and ratification is being requested in companion legislation for the purchase of two (2) new fiberglass bulk tanks from Harrington Industrial Plastics, LLC, of Chino, California, to replace the current tanks; and

WHEREAS, quotes were then requested for the removal and disposal of the old tanks and placement of the new tanks and four (4) quotes were received and the quote from Adena Corporation of Mansfield, Ohio, was determined to be the lowest and best quote; and

WHEREAS, the cost for the door installation, including wall reconstruction and utility relocation, is \$49,639.00, and the cost of the removal of the old tanks and placement of the new tanks is \$11,940.00 for a total cost of \$61,579.00 and these costs will be paid with Water Funds; and

WHEREAS, this Ordinance should be passed as an emergency measure under suspension of the rules in accordance with Section 14 of the City Charter in order to ensure the emergency repairs are completed and for timely payment of services once all of the work is completed and invoices are received; and

WHEREAS, in that it is deemed necessary in order to provide for the immediate preservation of the public peace, property, health, and safety of the City of Sandusky, Ohio, and its citizens, and to provide for the efficient daily operation of the Municipal Departments, including the Department of Public Works, of the City of Sandusky, Ohio, the City Commission of the City of Sandusky, Ohio finds that an emergency exists regarding the aforesaid, and that it is advisable that this **Ordinance** be declared an emergency measure which will take immediate effect in accordance with Section 14 of the City Charter upon its adoption; and NOW, THEREFORE,

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. This City Commission confirms the finding of a real and present emergency regarding the emergency services obviating the necessity to comply with formal competitive bidding as authorized by the Ohio Revised Code, ratifies the emergency services performed and approves the services to be performed related to the sodium hypochlorite tanks at the Chemical Building at the Big Island Water Works (BIWW) Plant.

Section 2. This City Commission authorizes and directs the City Manager and/or Finance Director to expend funds for the emergency services to Adena Corporation of Mansfield, Ohio, in an amount **not to exceed** Sixty One Thousand Five Hundred Seventy Nine and 10/100 Dollars (\$61,579.00), consistent with the quotes submitted by Adena Corporation of Mansfield, Ohio.

Section 3. If any section, phrase, sentence, or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

Section 4. This City Commission finds and determines that all formal actions of this City Commission concerning and relating to the passage of this Ordinance were taken in an open meeting of this City Commission and that all deliberations of this City Commission and of any of its committees that resulted in

those formal actions were in meetings open to the public in compliance with the law.

Section 5. That for the reasons set forth in the preamble hereto, this Ordinance is hereby declared to be an emergency measure which shall take immediate effect in accordance with Section 14 of the City Charter after its adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



DENNIS E. MURRAY, JR.
PRESIDENT OF THE CITY COMMISSION

ATTEST:



KELLY L. KRESSER
CLERK OF THE CITY COMMISSION

Passed: February 25, 2019