

ORDINANCE NO. 22-033

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH MOSSER CONSTRUCTION, INC. OF FREMONT, OHIO, FOR THE WASTEWATER TREATMENT PLANT (WWTP) EMERGENCY BACK-UP GENERATOR REPAIR PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the WWTP Emergency Back-up Generator Repair Project involves the rebuilding of an existing 1998 standby generator that operates the 36 MGD ultraviolet disinfection system, two effluent pumps, a 120-volt control panel, and a process gate at the Wastewater Treatment Plant, that became inoperable as the engine on the unit was damaged due to a leak of engine coolant into the crankcase, and the work includes disconnecting and reconnecting the generator, transport to and from the repair facility, all materials, and any temporary back-up power needed if supply chain issues delay service; and

WHEREAS, this City Commission declared the necessity to proceed with the proposed WWTP Emergency Back-up Generator Repair Project by Resolution No. 005-22R, passed on January 10, 2022; and

WHEREAS, upon public competitive bidding as required by law one (1) appropriate bid was received and the bid from Mosser Construction, Inc. of Fremont, Ohio, was determined to be the lowest and best bid; and

WHEREAS, the total cost of this project is \$485,000.00 and will be paid with Sewer 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 to allow the contractor to order materials and parts and begin work so the generator can be operational as quickly as possible, reducing increased costs for a temporary generator; 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. The City Manager is authorized and directed to enter into a contract with Mosser Construction, Inc. of Fremont, Ohio, for the Wastewater Treatment Plant Emergency Back-Up Generator Repair Project in an amount **not to exceed** Four Hundred Eighty Five Thousand and 00/100 Dollars (\$485,000.00) consistent with the bid submitted by Mosser Construction, Inc. of Fremont, Ohio,

currently on file in the office of the Director of Public Works.

Section 2. 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 3. 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 4. 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.



RICHARD R. BRADY
PRESIDENT OF THE CITY COMMISSION



ATTEST:

CATHLEEN A. MYERS
CLERK OF THE CITY COMMISSION

Passed: February 28, 2022