

ORDINANCE NO. 23-030

AN ORDINANCE RATIFYING THE EMERGENCY PURCHASE OF A NEW DYSTOR MEMBRANE UNIT FOR THE SECONDARY DIGESTER #3 BUILDING AT THE WASTEWATER TREATMENT PLANT (WWTP); AUTHORIZING AND DIRECTING THE CITY MANAGER AND/OR THE FINANCE DIRECTOR TO EXPEND FUNDS FOR THE PURCHASE AND INSTALLATION TO EVOQUA WATER TECHNOLOGIES, LLC OF HOLLAND, MICHIGAN, IN THE AMOUNT OF \$558,000.00; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, upon inspection, it was discovered that the sixty (60) foot domed cover of the Dystor unit at the Wastewater Treatment Plant has leaks in the outer seams that are in locations that cannot be patched and the unit needs to be replaced; and

WHEREAS, the Dystor Membrane Unit, which stores gases generated from the sludge digestion process, was originally installed as part of the Phase II WWTP Expansion Project in 2010 and consists of an outer and inner membrane; and

WHEREAS, the City Manager notified this City Commission at their September 12, 2022, regularly scheduled meeting of the emergency nature of the situation and a motion was passed approving the emergency purchase of a replacement Dystor Membrane Unit for the Secondary Digester #3 Building at the Wastewater Treatment Plant; 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 total cost for the new Dystor Membrane Unit is \$558,000.00 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 in order to ratify the purchase of the Dystor Membrane Unit, which has already been ordered, and to allow the installation work to begin as soon as possible once the unit is 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:

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Section 1. This City Commission approves and ratifies the emergency purchase of a new Dystor Membrane Unit for the Secondary Digester #3 Building at the Wastewater Treatment Plant (WWTP) and authorizes and directs the City Manager and/or Finance Director to expend funds for the purchase and installation to EVOQUA Water Technologies, LLC, of Holland, Michigan, at an amount **not to exceed** Five Hundred Fifty-Eight Thousand and 00/100 Dollars (\$558,000.00).

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 13, 2023