

ORDINANCE NO. 23-038

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY EVOQUA WATER TECHNOLOGIES, LLC OF HOLLAND, MICHIGAN, FOR THE EMERGENCY PURCHASE AND INSTALLATION OF A NEW TRAVELING WATER SCREEN AT THE BIG ISLAND WATER WORKS (BIWW) PLANT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, in late January 2022, Water Plant crews noticed issues with the operation of the traveling water screen and immediately contacted Evoqua Water Technologies LLC to conduct an extensive inspection which indicated the entire assembly was in poor shape and needed to be replaced; and

WHEREAS, the traveling water screen, which was installed in 2003 with some repairs completed in 2015, needs to be operational and reliable in order to supply water to the citizens of Sandusky; and

WHEREAS, the City Manager notified the City Commission at their April 25, 2022, regularly scheduled meeting of the emergency situation and a motion was passed approving the emergency purchase of a new traveling water screen at the BIWW Plant; and

WHEREAS, this City Commission ratified the emergency purchase of and the expenditure of funds for the installation of a new traveling water screen at the Big Island Water Works (BIWW) Plant to Evoqua Water Technologies, LLC of Holland, Michigan by Ordinance No. 22-086, passed on May 9, 2022; and

WHEREAS, this First & Final Change Order reflects the actual cost of shipping which was lower than originally estimated; and

WHEREAS, the original contract with Evoqua Water Technologies, LLC was \$228,865.00 and with the **deduction** of this First & Final Change Order in the amount of \$7,224.10, the final contract cost is \$221,640.90, and 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 so that the completed project can be closed out; 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,

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

Section 1. The City Manager is hereby authorized and directed to approve this First & Final Change Order for the emergency purchase and installation of a new traveling water screen at the Big Island Water Works (BIWW) Plant and to **deduct** from the contract amount the sum of Seven Thousand Two Hundred Twenty Four and 10/100 Dollars (\$7,224.10) resulting in the final contract cost of Two Hundred Twenty One Thousand Six Hundred Forty and 90/100 Dollars (\$221,640.90) with Evoqua Water Technologies, LLC, of Holland, Michigan.

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 27, 2023