

ORDINANCE NO. 23-110

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO APPROVE THE FIRST & FINAL CHANGE ORDER FOR WORK PERFORMED BY SYNAGRO CENTRAL, LLC OF FREDERICKTOWN, OHIO, FOR THE WASTEWATER TREATMENT PLANT (WWTP) SECONDARY DIGESTER #3 CLEANOUT PROJECT; AND DECLARING THAT THIS ORDINANCE SHALL TAKE IMMEDIATE EFFECT IN ACCORDANCE WITH SECTION 14 OF THE CITY CHARTER.

WHEREAS, the Wastewater Treatment Plant generates biosolids called sludge cake, along with other dewatered and compressed solid byproducts, during daily operations and these byproducts build up inside the “digesters” which break down the waste and in order to properly maintain the digester structures, they must be emptied and cleaned regularly; and

WHEREAS, the WWTP Secondary Digester #3 Cleanout Project involved removing an estimated 100,000 gallons of Class B Biosolids (sludge cake) and dewatered combined material from the Secondary Digester #3 at the Wastewater Treatment Plant, and includes hauling and disposal of the material in accordance with environmental regulations, and then cleaning of the digester; and

WHEREAS, this project included Alternate Bids that were not performed including disposal at the Erie County Landfill in the event the sludge material cannot be accepted at the Plant; and

WHEREAS, this City Commission declared the necessity for the City to proceed with the WWTP Secondary Digester #3 Cleanout Project by Resolution No. 055-22R, passed on October 10, 2022; and

WHEREAS, this City Commission approved the awarding of the contract to Burch Hydro Inc. of Fredericktown, Ohio, for work to be performed for the WWTP Secondary Digester #3 Cleanout Project by Ordinance No. 22-226, passed on November 14, 2022; and

WHEREAS, Burch Hydro Inc. was acquired by Synagro Central, LLC, in late December of 2022; and

WHEREAS, this First & Final Change Order includes an extension of the completion date from April 7, 2023 to May 15, 2023, due to a delay in the delivery of the new Dystor membrane, delaying the start of cleaning operations, resulting in additional time, material, and equipment to clean out the digester and deductions for alternate bids not performed and unused contingency allowance; and

WHEREAS, the original contract with Burch Hydro Inc. was \$68,737.68, and with the **deduction** of this First & Final Change Order in the amount of \$30,820.03, the final contract cost is \$37,917.65 and will be paid with Sewer Funds; and

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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 close out the completed project; 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 hereby authorized and directed to approve this First & Final Change Order for work performed for the Wastewater Treatment Plant (WWTP) Secondary Digester #3 Cleanout Project and to **deduct** from the contract amount the sum of Thirty Thousand Eight Hundred Twenty and 03/100 Dollars (\$30,820.03) resulting in the final contract cost of Thirty-Seven Thousand Nine Hundred Seventeen and 65/100 Dollars (\$37,917.65) with Synagro Central, LLC of Fredericktown, Ohio, and to extend the completion date from April 7, 2023, to May 15, 2023.

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

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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: May 22, 2023