

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 145

BY: Mayor Perciak and All Members of Council

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2014-117 TO INCREASE THE APPROPRIATED CONTRACT NOT-TO-EXCEED AMOUNT WITH LAKE COUNTY SEWER CO., INC. FOR FURTHER EMERGENCY CLEANING, MAINTENANCE AND REPAIR SERVICES TO ADDITIONAL AREAS OF THE CITY'S STORM SEWERS, DRAINAGE FACILITIES AND APPURTENANCES, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, on or about Monday, May 12, 2014, various unusual rainstorms and extreme weather conditions created emergency circumstances threatening the health, safety and welfare of certain of the City's residents and their properties; and

WHEREAS, through adoption of Ordinance No. 2014-117, the Council approved and authorized the Mayor to enter into a contract with Lake County Sewer Co., Inc. for various emergency supplemental cleaning, maintenance and/or other such emergency repair services to certain City storm sewers, drainage facilities and appurtenances, either within the public right-of-way or otherwise primarily on designated public easements, in a total amount not to exceed \$100,000.00; and

WHEREAS, since then, the City Engineer and Director of Public Service have determined the necessity for further emergency cleaning, maintenance and repair services to other additional areas of the City; and

WHEREAS, under the circumstances, the City's Engineering and Service Departments, therefore, now recommend approval of a contract modification in an amount not to exceed an additional \$100,000.00 to pay for such further necessary work; and

WHEREAS, it is accordingly necessary for Council to allocate the additional funds on an emergency basis by amending the prior Ordinance, and modifying the original not-to-exceed amount, in order that the new total amount is authorized up to \$200,000.00.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF STRONGSVILLE, COUNTY OF CUYAHOGA AND STATE OF OHIO, BY UNANIMOUS AFFIRMATIVE VOTE:

Section 1. That this Council finds and determines, as set out in Article V, §5 of the Charter, that there is an immediate and present emergency in the operation of the Department of Public Service of the City of Strongsville, in that it has become immediately necessary to provide further emergency cleaning, maintenance and repair services to additional areas of the City, without public bidding, to protect the health, safety and welfare of the residents, and to conserve public funds.

Section 2. That Section 2 of Ordinance No. 2014-117 is hereby amended to read in its entirety as follows:

“Section 2. That, for the reasons aforesaid, this Council hereby approves, ratifies and authorizes the Mayor proceeding with such emergency repair work necessary under the afore-described circumstances, and entering into a contract with **LAKE COUNTY SEWER CO., INC.**, without public bidding, in a total amount not to exceed ~~\$100,000.00~~ **\$200,000.00**, for the supplemental cleaning, maintenance and repair services to certain City storm sewers, drainage facilities and appurtenances within the City, at the rates of compensation for services reflected in the price proposal attached as Exhibit A and incorporated herein by reference and which is approved.”

Section 3. That for the reasons aforesaid, this Council hereby approves and authorizes the Mayor to enter into an amendment, without public bidding, to the contract with **LAKE COUNTY SEWER CO., INC.**, and/or by way of additional purchase orders for further emergency cleaning, maintenance and repair services to additional areas of the City, in order to increase the not-to-exceed amount a total of \$100,000.00, from \$100,000.00 to \$200,000.00.

Section 4. That the funds for the purposes of this amendment have been appropriated and shall be paid from the Drainage Levy Fund.

Section 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council; and that all deliberations of this Council, and any of its committees, that resulted in such formal action were in meetings open to the public in compliance with all legal requirements.

Section 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety and welfare of the City, and for the further reason that it is immediately necessary to amend the prior Ordinance and contract in order to provide sufficient funds for payment of additional services deemed necessary to properly maintain City storm sewers, drainage facilities and appurtenances, and to conserve public funds. Therefore,

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provided this Ordinance receives the unanimous vote of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor.

Michael Daymut
President of Council

Approved: Thomas B. Susi
Mayor

Date Passed: July 21, 2014.

Date Approved: July 22, 2014.

	<u>Yea</u>	<u>Nay</u>
Carbone	<u>✓</u>	<u> </u>
Daymut	<u>✓</u>	<u> </u>
DeMio	<u>✓</u>	<u> </u>
Dooner	<u>✓</u>	<u> </u>
Maloney	<u>✓</u>	<u> </u>
Schonhut	<u>✓</u>	<u> </u>
Southworth	<u>✓</u>	<u> </u>

Attest: Aimee Pientko
Clerk of Council

ORD. No. 2014-145 Amended:
1st Rdg. 07-21-14 Ref:
2nd Rdg. suspended Ref:
3rd Rdg. suspended Ref:

Pub Hrg. Ref:
Adopted: 07-21-14. Defeated: