

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 162

By: Mayor Perciak and All Members of Council

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE OPERATION, MAINTENANCE AND MANAGEMENT OF THE CITY'S WASTEWATER TREATMENT FACILITIES AND APPURTENANCES, AND DECLARING AN EMERGENCY.**

WHEREAS, as authorized on May 20, 2014, by Resolution No. 2014-111, the City, through its Department of Public Service has advertised for proposals for the operation, maintenance and management of the City's wastewater treatment facilities and appurtenances within the City; and

WHEREAS, the City has received one (1) proposal from a company having substantial experience with the City, and which is recommended by the City's independent engineering consultant that finds such proposal to be advantageous, competitive, in compliance with the specifications required by the City through its RFP, and in the best interests of the City; and

WHEREAS, Council is, therefore, desirous of proceeding to award and enter into a contract for such services for a five (5) year period and in accordance with the RFP requirements and the contract document incorporated therein.

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

**Section 1.** That this Council finds and determines that the proposal submitted by **AMERICAN WATER OPERATIONS & MAINTENANCE, INC.**, for the operation, maintenance and management of the City's wastewater treatment facilities and appurtenances in the City for a five (5) year period commencing October 1, 2014 meets the requirements set forth in the request for proposals on file in the office of the Director of Public Service, is in compliance with the applicable requirements for proposals and contracts established by the laws of the City and the State, and is the lowest and best proposal for the contract. All other proposals for this contract, if any, are hereby rejected.

**Section 2.** That the Mayor be and hereby is authorized and directed to enter into a contract with **AMERICAN WATER OPERATIONS & MAINTENANCE, INC.**, for the operation, maintenance and management of the City's wastewater treatment facilities and appurtenances, substantially in the form which is part of the City's Request for Proposals, but as may be adjusted and approved by the Law Director, and in an amount for the first year of an annual fixed fee not to exceed the sum of \$1,699,132.00.

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**Section 3.** That the funds necessary for the purposes of said contract have been appropriated for the year 2014, and shall be paid now and in future contract years pursuant to lawful appropriation ordinances, all from the Sanitary Sewer Fund.

**Section 4.** 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 5.** 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 enter into said contract in order to avoid legal issues arising from the currently expiring contract, to continue the operation, maintenance and management of the aforesaid facilities and appurtenances, provide for safe disposal of sanitary waste within the City, and to conserve public funds. Therefore, provided this Ordinance receives the affirmative vote of two-thirds of all members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise from and after the earliest period allowed by law.

Michael Daymut  
President of Council

Approved: Thomas J. Prineas  
Mayor

Date Passed: September 15, 2014

Date Approved: September 16, 2014

	<u>Yea</u>	<u>Nay</u>
Carbone	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Daymut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
DeMio	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Dooner	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Maloney	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Schonhut	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Southworth	<input checked="" type="checkbox"/>	<input type="checkbox"/>

Attest: Kimberly Pientka  
Clerk of Council

ORD. No. 2014-162 Amended: \_\_\_\_\_  
 1st Rdg. 09-02-14 Ref: \_\_\_\_\_  
 2nd Rdg. 09-15-14 Ref: \_\_\_\_\_  
 3rd Rdg. Suspended Ref: \_\_\_\_\_

Pub Hrg. \_\_\_\_\_ Ref: \_\_\_\_\_  
 Adopted: 09-15-14 Defeated: \_\_\_\_\_