

CITY OF STRONGSVILLE, OHIO

ORDINANCE NO. 2014 – 198

By: Mr. Carbone

AN ORDINANCE AMENDING SECTION 2 OF ORDINANCE NO. 2013-222 TO INCREASE THE APPROPRIATED CONTRACT NOT-TO-EXCEED AMOUNT WITH SCHULTZ FLUID HANDLING FOR ADDITIONAL ITEMS REQUIRED BY THE DEPARTMENT OF PUBLIC SERVICE TO REPAIR THE PUMPS AT THE CITY'S WASTEWATER TREATMENT FACILITIES, WITHOUT PUBLIC BIDDING, AND DECLARING AN EMERGENCY.

WHEREAS, through adoption of Ordinance No. 2013-222, the Council approved and authorized the Mayor to enter into a contract with Schultz Fluid Handling Equipment for various replacement/repair parts and equipment to be utilized at the City's Wastewater Treatment Facilities, without public bidding, in a total amount not to exceed \$62,222.00; and

WHEREAS, since then, the Director of Public Service has determined the necessity for additional items required to complete repair of the pumps as previously authorized; and

WHEREAS, under the circumstances, the City's Service Department, therefore, now recommends approval of a contract modification in an amount not to exceed an additional \$5,984.72 to pay for such further necessary items; 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 to authorize the new total amount of \$68,206.72.

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 for additional items required to complete repair of the pumps at the City's Wastewater Treatment Facilities, 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. 2013-222 is hereby amended to read in its entirety as follows:

“Section 2. That, for the reasons aforesaid, this Council hereby approves and authorizes the Mayor to enter into a contract with **SCHULTZ FLUID HANDLING EQUIPMENT**, without public bidding, in an amount not to exceed ~~\$62,222.00~~**68,206.72** for the purchase of a grinder insert and two sets of pump repair parts with appurtenances, to be used by the Department of Public Service, as more fully set forth in the proposal attached hereto as Exhibit “A” and incorporated herein by reference, and as reflected in a contract to be in a form approved by the Law Director.”

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 **SCHULTZ FLUID HANDLING EQUIPMENT**, in order to increase the not-to-exceed amount by a total of \$5,984.72, from \$62,222.00 to \$68,206.72.

Section 4. That the funds for the purposes of this amendment have been appropriated and shall be paid from the Sanitary Sewer 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 the purchase of various additional repair items in order to provide continuity and efficient operation of the City's Wastewater facilities, to repair and protect City-owned utilities and property, and to conserve public funds. Therefore, 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.

CITY OF STRONGSVILLE, OHIO

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Michael Daymut
President of Council

Approved: Thomas S. Bevil
Mayor

Date Passed: November 3, 2014

Date Approved: November 4, 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: Aimee Pientka
Clerk of Council

ORD. No. 2014-198 Amended: _____

1st Rdg. 10-20-14 Ref: _____

2nd Rdg. 11-3-14 Ref: _____

3rd Rdg. Suspended Ref: _____

Pub Hrg. _____ Ref: _____

Adopted: 11-3-14 Defeated: _____