RECORD OF ORDINANCES

Ordinance No. 11-14-2016-3 *Passed* NOVEMBER 14 *20* 16

AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR AND FISCAL OFFICER TO CONTRACT WITH SUEZ WATER ADVANCED SOLUTIONS FOR THE IMMEDIATE MAINTENANCE AND CLEANING OF THE VILLAGE'S ELEVATED WATER TANK, AND THE DECLARATION OF AN EMERGENCY

WHEREAS, the Village is need of immediate maintenance and cleaning of its elevated water tank, due to recent occurrences of "brown water" conditions; and,

WHEREAS, the Village has received a proposal from Suez Water Advanced Solutions, formerly known as Utility Service Group (hereafter "Suez"), for the immediate maintenance and cleaning of the water tank, and for continued maintenance and cleaning for a period of up to ten years, if desired by the Village; and,

WHEREAS, the service proposed by Suez is needed on an emergency basis in order to provide for the continued safety and health of Village residents, due to brown water conditions and OEPA mandates that the Village take immediate steps to cure the brown water conditions. Further, Suez is a contractor recommended to the Village by the OEPA, for the immediate maintenance and cleaning of the Village's water tank; and,

WHEREAS, Ohio Revised Code Section 735.051 authorizes the purchase of supplies or materials without formal bidding and advertising in the event of a real and present emergency; and,

WHEREAS, the Village of Baltimore has determined: that a real and present emergency exists due to the brown water conditions of the Village's water supply and the OPEA mandates that the Village take immediate steps to cure the brown water conditions; and that formal bidding and advertising is not necessary for the reasons set forth above; and,

WHEREAS, for the health and safety of the Village's residents, and due to the existence of a real and present emergency requiring the Village to immediately provide maintenance and cleaning of the Village's elevated water tower, this legislation needs to be adopted as an emergency;

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF BALTIMORE, FAIRFIELD COUNTY, OHIO, THREE-FOURTH'S OF ITS MEMBERS CONCURRING:

SECTION 1: The Village Administrator and Fiscal Officer are hereby authorized to enter into a contract with Suez Water Advanced Solutions for the immediate maintenance and cleaning of the Village's elevated water tower, and for ongoing maintenance on the water tower, for an amount not to exceed $466,122.00, without competitive bidding or advertising as authorized per Section 735.051 of the Ohio Revised Code. A copy of the contract with Suez Water Advanced Solutions shall be attached hereto and incorporated herein.

SECTION 2: For the reasons noted in the preamble, this ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, morals, and welfare of the citizens of Baltimore, Ohio. This ordinance shall become effective upon its passage by Council.

Brad Nicodemus, Mayor

DATE OF PASSAGE: 11-14-2016

EFFECTIVE DATE: 11-14-2016

RECORD OF ORDINANCES

Ordinance No. 11-14-2016-3 *Passed* NOVEMBER 14 *20* 16

ATTEST: _____
Kathryn E. Jenkins, Fiscal Officer

SPONSOR: HOUSE

APPROVED AS TO FORM: _____
Jeffrey Feyko, Village Solicitor

CERTIFICATE OF AVAILABILITY OF FUNDS

I certify that the money required to meet this contract has hereby been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of this fund, free from any previous obligation or certification as required by Ohio Revised Code 5705.01 to 5705.47.

11/14/2016
Date

_____
Kathryn E. Jenkins, Fiscal Officer