

**ORDINANCE NO. 20-177**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH BURCH HYDRO INC. OF FREDRICKTOWN, OHIO, FOR THE WASTEWATER TREATMENT PLANT (WWTP) DIGESTER 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 that are disposed of at the Erie County Sanitary Landfill; and

**WHEREAS**, in early 2020 a problem occurred with the mechanism in the Primary Anaerobic #2 Digester that breaks down organic waste from the City's sanitary sewer system; and

**WHEREAS**, in order to properly investigate the extent of the damage and assess a property repair, an estimated 100,000 gallons of sludge needs to be removed from the digester tank and disposed; and

**WHEREAS**, the WWTP Digester Cleanout Project involves removal of the sludge material and dewatered combined material from the Primary Anaerobic #2 Digester at the Wastewater Treatment Plant, including the hauling and disposal of the material in accordance with environmental regulations, and then cleaning of the digester; and

**WHEREAS**, the City Commission declared the necessity for the City to proceed with the WWTP Digester Cleanout Project by Resolution No. 042-20R, passed on October 12, 2020; and

**WHEREAS**, upon public competitive bidding as required by law two (2) appropriate bids and two (2) nonresponsive bids were received and the bid from Burch Hydro Inc. of Fredricktown, Ohio, was determined to be the lowest and best bid; and

**WHEREAS**, the total cost for this work is \$69,991.00, which includes material transport, equipment, labor, and contingencies, and will be paid with Sewer Funds; and

**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 allow the contractor to begin the project as soon as possible so the project can be completed by the completion deadline of December 31, 2020; 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,

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BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF SANDUSKY, OHIO, THAT:

Section 1. The City Manager is authorized and directed to enter into a contract with Burch Hydro Inc., of Fredricktown, Ohio, for the WWTP Digester Cleanout Project in an amount **not to exceed** Sixty Nine Thousand Nine Hundred Ninety One and 00/100 Dollars (\$69,991.00) consistent with the bid submitted by Burch Hydro Inc., of Fredricktown, Ohio, currently on file in the office of the Director of Public Works.

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 adoption and due authentication by the President and the Clerk of the City Commission of the City of Sandusky, Ohio.



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RICHARD R. BRADY  
PRESIDENT OF THE CITY COMMISSION



ATTEST:

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MCKENZIE E. SPRIGGS  
CLERK OF THE CITY COMMISSION