



## CITY OF PATASKALA

### RESOLUTION 2019-023

Passed March 18, 2019

#### **A RESOLUTION AUTHORIZING AND DIRECTING THE CITY ADMINISTRATOR TO EXECUTE A CONTRACT WITH HULL & ASSOCIATES, INC. FOR THE DESIGN OF THE WATER RECLAMATION FACILITY UPGRADE PROJECT**

***WHEREAS***, the City of Pataskala Utility Department operates a Water Reclamation Facility for wastewater treatment; and

***WHEREAS***, the Ohio EPA regulates treatment discharge levels for the Pataskala treatment facility; and

***WHEREAS***, Ohio Senate Bill 1 provides regulatory requirements, through the Ohio EPA, for an effluent discharge limitation of 1 mg/L phosphorous for treatment facilities designed for 1 million gallons; and

***WHEREAS***, the City of Pataskala recently was awarded a zero percent interest loan through the Water Pollution Control Loan Fund to pay for the Water Reclamation Facility upgrade. For reasons unknown and outside the City's control, the Ohio EPA delayed its decision to award this loan. Because of this delay, the timeline to complete this necessary project has been compressed substantially; and

***WHEREAS***, the timeline to complete the entire Water Reclamation Facility upgrade, through the Water Pollution Control Loan Fund, from design to construction must be completed by end of this year; and

***WHEREAS***, additionally, the Ohio EPA requires the design phase and the construction bidding process, which will take six months, be completed before it will decide whether loan funds can be issued. The City anticipates the Ohio EPA could take as many as two months to make this decision once it has all the information; and

***WHEREAS***, the City reasonably anticipates the Water Reclamation Facility upgrade design will cost One Hundred Twenty-Nine Thousand Three Hundred Sixty Dollars and No Cents (\$129,360.00); exceeding the threshold established under the City Charter and Ohio's Design Professional Selection Law; and

**WHEREAS**, City of Pataskala Employee and Policy Handbook, Article XII(b)(vii)(1)(Exceptions to Competitive Bidding) states “[i]n any case where competitive bidding is not practical, or is clearly to the City’s advantage to contract without bidding, Council, upon the recommendation of the City Administrator, may authorize the issuance of a purchase order without competitive bidding, by a majority vote”; and

**WHEREAS**, given the unique facts and circumstances surrounding the award of this loan and the short timeline by which the Water Reclamation Facility upgrade must be designed, bid, and constructed, the City Administrator believes it is not practical to announce the availability of this design contract, evaluate the qualifications of interested professional design firms, and negotiate a contract with the most highly qualified firm. Therefore, the City Administrator recommends entering into this design contract without following this process.

**NOW THEREFORE BE IT RESOLVED BY THE COUNCIL OF THE CITY OF PATASKALA, COUNTY OF LICKING, STATE OF OHIO, A MAJORITY OF MEMBERS PRESENT CONCURRING THAT:**

**Section 1:** Council for the City of Pataskala hereby authorizes and directs the City Administrator to execute a contract in an amount not to exceed One Hundred Twenty-Nine Thousand Three Hundred Sixty Dollars and No Cents (\$129,360.00), with Hull & Associates, Inc. for the design of the Water Reclamation Facility Upgrade Project.

**Section 2:** Council for the City of Pataskala hereby authorizes a purchase order for the amount identified in Section 1

**Section 3:** It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted in an open meeting of Council and that all deliberations of the Council and any of the decision-making bodies of the City of Pataskala which resulted in such formal actions were in

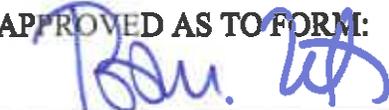
**Section 4:** This Resolution shall take effect at the earliest time allowed by the Charter of the City of Pataskala.

ATTEST:

  
Kathy M. Hoskinson, Clerk

  
Michael W. Compton, Mayor

APPROVED AS TO FORM:

  
Brian M. Zets, Law Director