

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 FOR NERONE AND SONS, INC, INCREASING THE CONTRACT BY \$45,720.21, FOR THE FORBES-RICHMOND PUMP STATION AND SANITARY FORCE MAIN REPAIR PROJECT IN THE VILLAGE OF OAKWOOD AND DECLARING AN EMERGENCY

WHEREAS, the entire territory within the limits of the Village of Oakwood is designated within County Sewer District No. 18; and

WHEREAS, the Village of Oakwood owns all of the storm and sanitary sewers and sanitary sewerage systems within the Village located in the public right-of-way and easements (the "Village Sewers"), excluding any sanitary sewers owned and maintained by the Northeast Ohio Regional Sewer District, ("NEORS"); and

WHEREAS, the Village of Oakwood, per Resolution 2014-35, entered into a contract with the Cuyahoga County Council in order for the County to collect funds for, and to make improvements and maintenance, to the sewer systems within the County Sewer District No.18; and

WHEREAS, the Cuyahoga County Department of Public Works had in January of 2020 performed emergency temporary repairs to the Forbes-Richmond Pump Station and Sanitary Force Main to prevent a catastrophic failure and the potential release of raw sewage into the environment; and

WHEREAS, the Cuyahoga County Department of Public Works has notified the Village Engineer that the condition of the Forbes-Richmond Pump Station and Sanitary Force Main continues to deteriorate and that replacement parts are harder to secure because of the age of the facilities; and

WHEREAS, the Cuyahoga County Department of Public Works has recommended that the Village Engineer immediately begin the preparation of plans and specifications and to advertise for bids to construct permanent repairs and upgrades to be made at the Forbes-Richmond Pump Station and Sanitary Force Main in order to avoid additional emergency temporary repairs which are not cost effective and/or catastrophic failure with the potential release of raw sewage into the environment; and

WHEREAS, the Cuyahoga County Department of Public Works has advised the Village Engineer that the County will secure funds through the Ohio Water Development Authority, to be repaid from the funds collected for County Sewer District No.18, in order to reimburse the Village of Oakwood for all engineering and construction costs required to make permanent repairs and upgrades at the Forbes-Richmond Pump Station and Sanitary Force Main; and

WHEREAS, on July 14, 2020, by Ordinance 2020-63, Council authorized and directed the Village Engineer to begin the preparation of plans and specifications and to provide advertising for bids for the Forbes-Richmond Pump Station and Sanitary Force Main Repair Project in the Village of Oakwood; and

WHEREAS, on March 12, 2021, the bids for the Forbes-Richmond Pump Station and Sanitary Force Main Repair Project, were opened and inspected by the Village Engineer to determine the lowest and best bid; and

WHEREAS, on May 12, 2021, the Board of Control accepted the recommendation of the Village Engineer and authorized the Mayor, to enter into a contract with Nerone & Sons, Inc., for the Forbes-Richmond Pump Station and Sanitary Force Main Repair Project, for a cost not to exceed Four Hundred Thirty Six Thousand Seven Hundred Fifty Dollars and Zero Cents (\$436,750.00); and

WHEREAS, the Village Engineer has determined that the quantity adjustments to contract line items for actual work performed, when combined with the cost of work items not included within the original contract documents, including the location and replacement of air relief valves, additional bypass pumping required while electrical modification were completed, additional drive apron replacement work, and electrical upgrades, and the use of low strength mortar in pavement areas, will increase the contract cost for the Forbes-Richmond Pump Station and Sanitary Force Main Repair Project in the amount of Forty Five Thousand Seven Hundred Twenty Dollars and Twenty One Cents (\$45,720.21).

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1. The Council of the Village of Oakwood hereby authorizes Change Order No. 1 for Nerone and Sons, Inc to increase the contract for the Forbes-Richmond Pump Station and Sanitary Force Main Repair Project in the amount of in the amount of Forty Five Thousand Seven Hundred Twenty Dollars and Twenty One Cents (\$45,720.21) to close out the project contract as recommended by the Village Engineer: for the Forbes-Richmond Pump Station and Sanitary Force Main Repair Project.

SECTION 2. Council hereby authorizes and directs the Finance Director to amend the appropriations as required for the expenditures outlined within this Ordinance, said amounts to be charged to the Sanitary Sewer Fund with documentation including invoices and cancelled checks to be submitted promptly to the Cuyahoga County Department of Public Works for full reimbursement.

SECTION 3. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the Forbes-Richmond Pump Station and Sanitary Force Main Repair Project has been completed and must be closed out with the Cuyahoga County Department of Public Works therefore, provided it receives two-thirds (2/3) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: July 11th, 2023

Tanya Joseph
Tanya Joseph, Clerk of Council

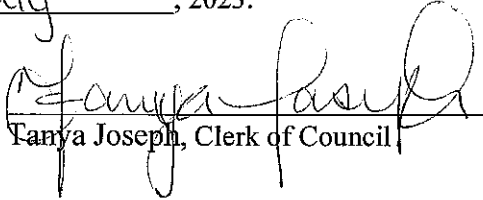
Johnnie A. Warren
Johnnie A. Warren, President of Council

Presented to the Mayor 7.12.23

Approved: 7.12.23

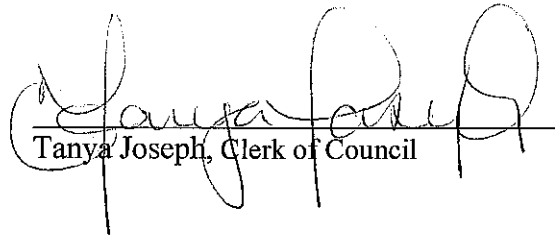
Gottschalk
Mayor, Gary V. Gottschalk

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2023 - 25 was duly and regularly passed by this Council at the meeting held on the 11th day of July, 2023.


Tanya Joseph, Clerk of Council

POSTING CERTIFICATE

I, Tanya Joseph, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2023 -25 was duly posted on the 12th day of July, 2023, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.


Tanya Joseph, Clerk of Council

DATED: 7.12.23

ORDINANCE NO. 2023 - 21

INTRODUCED BY MAYOR AND COUNCIL AS A WHOLE

AN EMERGENCY ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY COST-SHARE AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT TO OBTAIN COST REIMBURSEMENTS FOR CERTAIN WORK TO BE PERFORMED IN THE VILLAGE ASSOCIATED WITH THE FORBES /RICHMOND SANITARY PUMP STATION INFLOW AND INFILTRATION STUDY

WHEREAS, the Village of Oakwood is currently operating under the Ohio EPA's National Pollutant Discharge Elimination System (NPDES) Storm Water General Permit Coverage (Small MS4 General Permit) which gives authorization to discharge to the surface waters of Ohio; and

WHEREAS, the Ohio EPA's NPDES Storm Water General Permit for a Small MS4 (Municipal Separate Storm Water System) requires the Village of Oakwood to provide effective storm water management by various methods including enacting Minimum Control Measures (MCMs); and

WHEREAS, the Ohio EPA's MCM #3 - Illicit Discharge Detection and Elimination is a program that detects and eliminates cross-connections, dumping of wastes or other non-storm water discharges not authorized by a separate NPDES permit; and

WHEREAS, the Cuyahoga County Department of Public Works and Village Engineer have determined that excessive amounts of clean water inflow and infiltration is entering the Forbes/Richmond Sanitary Pump Station; and

WHEREAS, the Cuyahoga County Department of Public Works and Village Engineer have determined that the clean water inflow and infiltration entering the Forbes/Richmond Sanitary Pump Station is being caused by a combination of broken, damaged or cross connected storm and sanitary sewer pipes; and

WHEREAS, the clean water inflow and infiltration entering the Forbes/Richmond Sanitary Pump Station is causing premature wear on the motors and appurtenant structures within the facility which will cause a catastrophic failure event to occur; and

WHEREAS, the failure of the Forbes/Richmond Sanitary Pump Station would lead to non-storm water discharges including sanitary sewage, not authorized by a separate NPDES permit, into the storm sewer system and the surrounding environment including Tinkers Creek; and

WHEREAS, the NEORS D provides funding to Member Communities, including the Village of Oakwood, for community specific storm water management projects under the Community Cost-Share Program; and

WHEREAS, the Village Engineer and the Service Director have been informed by NEORS D that the elimination of clean water inflow and infiltration entering the Forbes/Richmond Sanitary Pump Station effectively implements Ohio EPA's MCM #3 and thus qualify as a storm water management project eligible for Community Cost-Share Program funds; and

WHEREAS, the Village Engineer and the Service Director have made application to the NEORS D for the disbursement of Community Cost-Share Program funds as required to prepare an inflow and infiltration study for the Forbes/Richmond Sanitary Pump Station service area in the amount of Two Hundred Twenty Thousand Dollars and Zero Cents (\$220,000.00).

NOW THEREFORE, BE IT ORDAINED by the Council of the Village of Oakwood, County of Cuyahoga, and State of Ohio that:

SECTION 1. The Mayor is hereby authorized and directed to execute a Community Cost-Share Agreement, and any other documents with the NEORSB as is required for the disbursement of Community Cost-Share Program funds in the total amount of Two Hundred Twenty Thousand Dollars and Zero Cents (\$220,000.00) to provide services associated with the preparation of an inflow and infiltration study for the Forbes/Richmond Sanitary Pump Station service area in the Village of Oakwood.

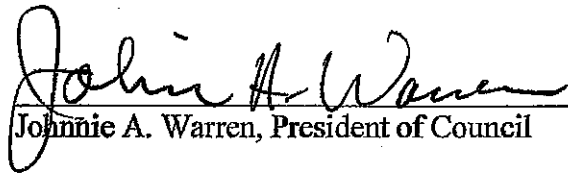
SECTION 2. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village, the reason for the emergency being that the Village can take advantage of a funding opportunity for the foregoing operations and activities which are necessary to protect the environment and required to maintain compliance with OEPA MS4 stormwater permit requirements and, therefore, provided it receives two-thirds (b) of the vote of all members of Council elected thereto, said Ordinance shall be in full force and effect immediately upon its adoption by this Council and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED:

June 13, 2023



Debra L. Hladky, Clerk of Council



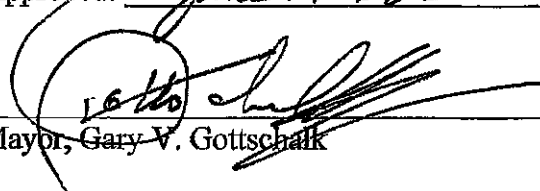
Johnnie A. Warren, President of Council

Presented to the
Mayor

June 14, 2023

Approved:

June 14, 2023



Mayor, Gary V. Gottschalk

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that the foregoing Ordinance No. 2023-21 was duly and regularly passed by this Council at the meeting held on the 13 day of June, 2023.



Debra L. Hladky, Clerk of Council

POSTING CERTIFICATE

I, Debra L. Hladky, Clerk of Council of the Village of Oakwood, County of Cuyahoga and State of Ohio, do hereby certify that Ordinance No. 2023-21 was duly posted on the 15 day of

June, 2023, and will remain posted for a period of fifteen (15) days thereafter in the Council Chambers and in not less than five (5) of the most public places in the municipality as determined by the Council of the said Village.



Debra L. Hladky, Clerk of Council

DATED: June 15, 2023