

RESOLUTION NO. R-17-38

**AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT, INCLUDING ANY AND ALL ENSUING CHANGE ORDERS, FOR EMERGENCY REPAIRS TO THE PROGRAMMABLE LOGIC CONTROLLERS, SOFTWARE UPGRADES, AND INPUT/OUTPUT MODERNIZATION, WITHOUT FORMAL BIDDING AND ADVERTISING DUE TO A REAL AND PRESENT EMERGENCY, AND DECLARING AN EMERGENCY**

WHEREAS, a failure to the existing supervisory control and data acquisition (SCADA) system has created a potential risk to the health, safety and general welfare of the inhabitants of the City of Wilmington. The current system is obsolete and a new system is critical to the effective operation of the Wastewater Treatment Plant by gathering and analyzing real time data, without the system the plant must manually control the system at all times, thus creating an emergency; and

WHEREAS, O.R.C. 735.051 provides that in the case of a real and present emergency arising in connection with the operation and maintenance of the department of public service, the legislative authority of the municipality may by a two-thirds vote of all the members elected thereto, authorize the director of public service, to enter into a contract for work to be done without formal bidding and advertising.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WILMINGTON, STATE OF OHIO:


Section 1. That the Director of Public Service be, and he hereby is, authorized to contract with the lowest and best contractor, for emergency repair to the system without formal bidding and advertising in accordance with Section 735.051 of the Ohio Revised Code.

Section 2. That this Resolution is passed as an emergency measure necessary for the protection and preservation of the peace, health, safety and general welfare of the inhabitants of the City of Wilmington, the emergency being the immediate need to replace and upgrade the SCADA system in order to alleviate a potential risk of releasing untreated wastewater into the tributaries, in violation of the City's OEPA NPDES permit and, therefore, this Resolution shall become effective immediately upon its passage.

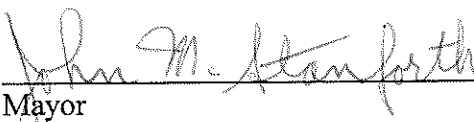
Passed this 7th day of September, 2017.

  
President of Council

ATTEST:

  
Clerk of Council, Acting

Approved by me this 7th day of September, 2017.

  
Mayor