

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A PERSONAL SERVICES AGREEMENT FOR PROFESSIONAL ENVIRONMENTAL CONSULTING SERVICES AND DECLARING AN EMERGENCY.

WHEREAS, Section 59 of the Avon Lake City Charter, entitled Competitive Bidding, authorizes the expenditure of funds exceeding \$50,000 without public bidding for “personal services” as defined in the Charter; and

WHEREAS, the Administration and Council desire to continue to retain the personal services of a professional environmental consulting firm to monitor the closed landfill at the Public Works Department for 2023.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF
THE CITY OF AVON LAKE, STATE OF OHIO:

Section No. 1: That the Mayor is hereby authorized and directed to enter into an agreement with HzW Environmental Consultants, LLC of Mentor, Ohio for the purpose of retaining personal, professional services to monitor the closed landfill.

Section No. 2: That said agreement shall state in its terms that the cost of said personal, professional services shall not exceed \$77,200.00. Upon receipt of an itemized billing, in conformance with the guidelines and scope of work as set forth in said agreement, to the satisfaction of the Public Works Director, the Director of Finance is hereby directed to deliver to HzW Environmental Consultants, LLC the warrant of this City in the amount due and payable and to cause said warrant to be paid.

Section No. 3: That additional landfill services were rendered in 2022 to meet the Ohio EPA compliance regulations, and the Finance Director is hereby authorized and directed to deliver to HzW Environmental Consultants, LLC of Mentor, Ohio, the warrant of this City in the amount of \$23,300.81.

Section No. 4: That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and any of its committees which resulted in such formal actions, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section No. 5: That this Ordinance is hereby declared to be an emergency measure, the emergency being the necessity of providing for professional environmental consulting services to test samples for groundwater monitoring

according to EPA requirements, thus for the health, safety, and welfare of the public. Therefore, this Ordinance shall be in full force and effect from and immediately after its passage and approval by the Mayor.

PASSED: 3/27/2023

/s/ Martin E. O'Donnell

President of Council

POSTED: 3/31/2023

APPROVED: 3/28/2023

ATTEST: /s/ Valerie E. Rosmarin

Clerk of Council

/s/ Gregory J. Zilka

Mayor