

IN THE COUNCIL OF THE
VILLAGE OF NEW CONCORD, OHIO

Ordinance No. D-8-90-1

AN ORDINANCE AUTHORIZING A CONTRACT FOR THE PROFESSIONAL SERVICES OF A LICENSED INDIVIDUAL IN OPERATING AND MAINTAINING THE WATER PLANT AND WASTE WATER TREATMENT PLANT OF THE VILLAGE OF NEW CONCORD AND TO DECLARE AN EMERGENCY.

WHEREAS, the Village of New Concord entered into a contract with Kinder-Kuhn Associates, Inc. on August 14, 1989 wherein Kinder-Kuhn Associates, Inc., a licensed professional, operated and maintained the water plant and waste water treatment plant for a term of one (1) year, which contract was extended by mutual agreement of the parties for a term of thirty (30) days and shall expire September 13, 1990; and

WHEREAS, the Village of New Concord desires to enter a new contract wherein a licensed professional shall operate and maintain the water plant and waste water treatment plants of the Village of New Concord in compliance with Ohio EPA requirements, conduct all laboratory analyses required by Ohio EPA, and maintain the equipment, buildings and grounds at the water plant and waste water treatment plant; and

WHEREAS, the Ohio Environmental Protection Agency requires that a licensed professional operate a municipal water plant and municipal waste water treatment plant; and

WHEREAS, the services of a licensed professional to operate and maintain a water plant and waste water treatment plant are professional services which do not require competitive bidding; and

WHEREAS, this Ordinance constitutes an emergency measure for the immediate preservation of public property, and the public health and safety of the residents of the Village of New Concord by reason of the emergency which exists in the Village in that the water plant and waste water treatment plant owned and currently operated by the Village must be operated in accordance with Ohio Environmental Protection Agency requirements and the requirements of Ohio law and the Village must retain a licensed professional to operate and maintain those public utilities.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of New Concord, Ohio, that:

Section 1. It is hereby determined that the services of Kinder-Kuhn Associates, Inc. are professional services which are licensed by the State of Ohio and are services for which

competitive bidding is not required.

Section 2. Kinder-Kuhn Associates, Inc. has offered to provide professional services in the operation and maintenance of the water plant and sewer treatment plant for approximately \$68,300.00 for a period of one (1) year from September, 1990 with two (2) one (1) year options to renew said services.

Section 3. It is hereby declared and determined that the public peace, safety and welfare require that a contract be entered with Kinder-Kuhn Associates, Inc. for the provision of professional services in the operation and maintenance of their reservoir water plant and sewer treatment plant for a period of one (1) year from September, 1990.

Section 4. The Village Clerk and Mayor are hereby instructed and authorized to enter into an agreement with the said Kinder-Kuhn Associates, Inc., accordingly, and the Clerk is hereby authorized to issue payment for the same. A copy of that Agreement is on file with the Clerk.

Section 5. For the reasons stated in the preamble hereto, which is made a part hereof, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in full force from and after its passage and approval by the Mayor.

Passed: August 13, 1990

Charles L. Gates
Charles L. Gates, President of
Council

Approved: August 13, 1990

R. Gregory Adams
R. Gregory Adams, Mayor

Attest:

Beryl L. Hammer
Village Clerk - Treasurer

I hereby certify that the above Ordinance No. D-8-90-1 was posted per Ordinance No. L-1-84-1 from September 5, 1990 to November 19, 1990.

Beryl L. Hammer, Clerk

CAC:ts
Ordin
A:TrudyD13