

February 6, 2012

Mr. Greg J. Davies  
Director  
City of Columbus  
Department of Public Utilities  
910 Dublin Road  
Columbus, Ohio 43215

Re: *Pilot Project - Diesel Particulate Filter on Wheel Loader*

Dear Director Davies:

The Ohio Environmental Council (OEC) is pleased to contract with the City of Columbus for its participation in a pilot project regarding the purchase and installation of a Diesel Particulate Filter (DPF) on a city-owned 1999 Volvo wheel loader that operates at the City's Southwesterly Compost Facility.

Specific deliverables for this project are outlined in the attachment labeled as "Appendix A".

By signing this agreement letter, the City of Columbus agrees to perform as outlined in Appendix A and under the terms stated below.

The project contact for the OEC is:

David R. Celebrezze  
Director of Air & Water Special Projects  
614-487-7506  
[David@theOEC.org](mailto:David@theOEC.org)

The contractual contact for the OEC is:

Raenell Nagel  
Senior Director of Policy & Strategic Planning  
614-487-7506  
[Raenell@theOEC.org](mailto:Raenell@theOEC.org)

The City of Columbus commits to communicating and collaborating with the OEC in the execution of this project. All communication regarding invoicing, payment, and contract details should be directed to the OEC's contractual contact, as outlined above.

The City of Columbus understands and agrees that the project strategy and tactics may change, by mutual agreement, during the course of the work funded by this Agreement. In such event, the OEC agrees accordingly to modify the project deliverables outlined in Appendix A.

The City of Columbus warrants and represents that it has the right and ability to enter into this Agreement and to furnish the work described in this Agreement pursuant to Ordinance No. 0651-2012 passed by Columbus City Council on \_\_\_\_\_, 2012.

In its performance of the work pursuant to this Agreement, The City of Columbus agrees to comply with all applicable laws and regulations, which shall be deemed to be included in this Agreement by this reference. In addition, the City of Columbus shall not engage in any activity on behalf of the OEC that jeopardizes the OEC's status as a non-profit charity qualified to receive tax-deductible contributions under Section 501(c)(3) of the Internal Revenue Code.

This Agreement terminates under its own terms as described in Appendix A. The Agreement may be terminated at an earlier time, by either party, by one party giving the other 30 days prior written notice of termination. Upon termination under this provision, the City of Columbus shall turn over to the OEC all work in progress.

This Agreement cannot be changed, modified or assigned except by writing executed by both parties.

Please sign below and return to the OEC's finance contact, as outlined above. You can contact David R. Celebrezze or Raenell Nagel by phone at 614-487-7506 and by email at [David@theOEC.org](mailto:David@theOEC.org) or [Raenell@theOEC.org](mailto:Raenell@theOEC.org) if you have questions.

Sincerely,

~~Keith Dimoff~~ **JACK SHANER**  
Acting Executive Director  
Ohio Environmental Council  
20 MARCH 2012

ACKNOWLEDGED AND AGREED TO:

DEPARTMENT OF PUBLIC UTILITIES

Approved As To Form:

\_\_\_\_\_  
Greg J. Davies, Director

\_\_\_\_\_  
Date

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Date

**Administrative Use Only**

Approval to Release Initial Payment

Senior Director of Policy & Strategic Planning

Senior Director of Administration

\_\_\_\_\_

\_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

## Appendix A

**Project Title:** *Pilot Project - Diesel Particulate Filter on Wheel Loader*

**OEC Project Contact:** David R. Celebrezze, [David@theoec.org](mailto:David@theoec.org)

**OEC Contractual Contact:** Raenell Nagel, [Raenell@theOEC.org](mailto:Raenell@theOEC.org)

**The Need.** There are more than 50,000 pieces of construction equipment in Ohio. In Franklin County the non-road (ex. construction equipment) sector emitted 477.95 tons of PM 2.5 (more than any other sector in Franklin County) and 5,838.64 tons of nitrogen oxides in 2009 (second behind the mobile sector).

**Health Impacts.** Diesel exhaust contains more than 40 known toxins including benzene and formaldehyde. It also contains particulate matter 2.5 (one-thirtieth the width of a human hair). Diesel pollution has been linked to painful breathing, asthma attacks, heart and lung disease, cancer, and preventable death. The lifetime diesel soot cancer risk in Franklin County is 223 times greater than US EPA's acceptable level of one in a million.

**The solution.** Diesel particulate filters reduce harmful pollution by at least 85%. It is anticipated that the HUSS Technologies MK 400 (dual filters) will reduce 99% of the soot from the 1999 wheel loader.

Please refer to the HUSS quote (attached) for more details on the product.

### **Scope of Work**

- The City of Columbus agrees to install a Diesel Particulate Filter (DPF) on a 1999 wheel loader, as specified below:

<b>Category</b>	<b>Information</b>
Manufacturer	Volvo
Model	L150
Engine make	Volvo
Engine model	TD103KCE
Horse power	251 hp
part number	8188141
serial number	311330
Fuel type	B20

- Purchase and installation of the DPF will occur between February 2012 through April 2012.
- The City of Columbus agrees to keep the DPF on the wheel loader for the life of the vehicle. If the vehicle is in an accident and scrapped, and if the City of Columbus determines that, if the DPF is undamaged and it is practicable, it will remove the DPF and install it on another vehicle.
- The City of Columbus agrees to reimburse the OEC for \$2,000 of the total purchase price of \$32,000. The City of Columbus will reimburse the OEC within 15 days of receipt of the OEC's invoice.

If the City of Columbus prematurely removes the DPF from the wheel loader and does not install it in another vehicle (if the City determines that the DPF is in good working

order), the City of Columbus will reimburse the OEC the remaining \$30,000 of the purchase price, subject to the authorization of such costs by ordinance of Columbus City Council and the certification by the City Auditor of the availability of funds for such purpose.

- The City of Columbus will allow the OEC to take video and still photos of the wheel loader before and after it is retrofitted with the DPF.

These images will be used in a brochure to be developed by the OEC that will target construction fleets and will document the process for retrofitting construction equipment. The OEC will share a draft of the brochure with the City of Columbus and seek feedback before distribution.