



# City of Columbus

Office of City Clerk  
90 West Broad Street  
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columbuscitycouncil.org

## Legislation Details (With Text)

**File #:** 0588-2008      **Version:** 1  
**Type:** Ordinance      **Status:** Passed  
**File created:** 3/26/2008      **In control:** Public Service & Transportation Committee  
**On agenda:** 5/5/2008      **Final action:** 5/7/2008

**Title:** To authorize the Public Service Director to amend and extend the existing contract with Performance Site Environmental and for services rendered, fines, and other unknown expenses on behalf of the Refuse Collection Division to mitigate environmental and damage at 2100 Alum Creek Drive, caused by the accidental discharge of bio-diesel fuel leaking from a fuel tank; to authorize the expenditure of \$838,000.00 from the 1995, 1999 Voted Refuse Collection Fund; and to declare an emergency. (\$838,000.00)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:**

Date	Ver.	Action By	Action	Result
5/7/2008	1	CITY CLERK	Attest	
5/6/2008	1	MAYOR	Signed	
5/5/2008	1	Columbus City Council	Approved	Pass
5/5/2008	1	COUNCIL PRESIDENT	Signed	
4/15/2008	1	EBOCO Reviewer	Reviewed and Approved	
4/15/2008	1	ODI DIRECTOR	Reviewed and Approved	
4/15/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
4/15/2008	1	CITY ATTORNEY	Reviewed and Approved	
4/15/2008	1	Service Reviewer	Sent to Clerk's Office for Council	
4/14/2008	1	Service Reviewer	Sent for Approval	
4/14/2008	1	Auditor Reviewer	Reviewed and Approved	
4/14/2008	1	CITY AUDITOR	Reviewed and Approved	
4/14/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
4/11/2008	1	FINANCE DIRECTOR	Reviewed and Approved	
4/10/2008	1	Finance Reviewer	Reviewed and Approved	
4/10/2008	1	Finance Reviewer	Reviewed and Approved	
4/7/2008	1	SERVICE DIRECTOR	Reviewed and Approved	
3/26/2008	1	Service Drafter	Sent for Approval	
3/26/2008	1	Service Reviewer	Reviewed and Approved	

**Background:** This legislation authorizes the Public Service Director to amend and extend the existing contract with Performance Site Environmental on behalf of the Refuse Collection Division for the location, control, capture, and disposal of escaped bio-diesel fuel, contaminated water, and contaminated soil; the reclamation of the property located at 2100 Alum Creek Drive, Columbus, Ohio

43207, to the standards established by the Ohio Environmental Protection Agency and the Bureau of Underground Storage Tank Regulations; and the inspection and necessary correction to the Division's fueling systems. This contract was authorized with the September 24, 2007, Mayor's Emergency in the amount of \$400,000.00.

This legislation also authorizes the Public Service Director to establish funding in the amount of \$50,000.00 for services rendered, fines levied, and other unknown expenses, if any, from the OhioEPA, the Bureau of Underground Storage Tank Regulations, the Department of Public Utilities, and any other entities unknown to the City of Columbus at this time.

The Mayor declared a \$400,000 emergency on September 24, 2007, directing the Public Service Director to enter into contract with Performance Site Management. This legislation extends that contract through December 31, 2008, with the option to extend the contract for three additional years through December 31, 2011, subject to councilmanic approval, and increases the contract amount by an additional \$788,000.00 to a total contract amount of \$1,188,000.00.

**Emergency action** is requested in order to reimburse Performance Site Environmental for costs incurred in locating, controlling, capturing, and disposing of escaped bio-diesel fuel, contaminated water, and contaminated soil; reclaiming the property to the standards established by the Ohio Environmental Protection Agency and the Bureau of Underground Storage Tank Regulations; inspecting and upgrading the Division's fueling systems; and to reimburse the OhioEPA, the Bureau of Underground Storage Tank Regulations, the Department of Public Utilities, and other unknown entities for services rendered, fines, and other unknown expenses.

**Fiscal Impact:** This project is to be funded through Fund 703, the 1995, 1999 Voted Refuse Collection Fund. We are asking to increase the total contract amount to \$1,088,000.00 through 2008, and \$1,188,000.00 if all three option years are exercised. The Performance Site Environmental Contract Compliance Number is 20-5433318, expiration 09/29/2008. Additional funding of \$50,000.00 is needed for the Ohio EPA, the Bureau of Underground Storage Regulations, the Department of Public Utilities and any other unknown entities. Total funding needs amount to \$1,238,000.00.

To authorize the Public Service Director to amend and extend the existing contract with Performance Site Environmental and for services rendered, fines, and other unknown expenses on behalf of the Refuse Collection Division to mitigate environmental and damage at 2100 Alum Creek Drive, caused by the accidental discharge of bio-diesel fuel leaking from a fuel tank; to authorize the expenditure of \$838,000.00 from the 1995, 1999 Voted Refuse Collection Fund; and to declare an emergency. (\$838,000.00)

**WHEREAS**, the Refuse Collection Division determined that a bio-diesel fuel tank was leaking at 2100 Alum Creek Drive, Columbus, Ohio 43207, and

**WHEREAS**, Performance Site Environmental has been awarded a City of Columbus Contract to locate, control, capture and dispose of escaped bio-diesel fuel pursuant to the Mayor's Emergency Letter dated September 24, 2007, and

**WHEREAS**, emergency action is requested to provide for payment of all liabilities that might arise to ensure the rapid remediation of any environmental hazard; and

**WHEREAS**, an emergency exists in the usual daily operation of the Public Service Department, Refuse Collection Division, in that it is immediately necessary to authorize the Public Service Director to extend and amend the contract with Performance Site Environmental for the location, control, capture, and disposal of escaped bio-diesel fuel, contaminated water, and contaminated soil; the reclamation of the property located at 2100 Alum Creek Drive, Columbus, Ohio 43207, to the standards established by the Ohio Environmental Protection Agency and the Bureau of Underground Storage Tank Regulations; the inspection and necessary correction to the Division's fueling systems; and to reimburse the OhioEPA, the Bureau of Underground Storage Tank Regulations, the Department of Public Utilities, and other unknown entities for services rendered, fines, and other unknown expenses; now therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF COLUMBUS:**

**SECTION 1.** That the Public Service Director is authorized to amend and extend the existing contract for the Refuse Collection Division with Performance Site Environmental for the location, control, capture, and disposal of escaped bio-diesel fuel, contaminated water, and contaminated soil; the reclamation of the property located at 2100 Alum Creek Drive, Columbus, Ohio 43207, to the standards established by the Ohio Environmental Protection Agency and the Bureau of Underground Storage Tank Regulations; and the inspection and necessary correction to the Division's fueling systems:

**SECTION 2.** That the Public Service Director is authorized to establish funding for services rendered, fines levied, and any other

unknown expenses, if any, from the OhioEPA, the Bureau of Underground Storage Tank Regulations, the Department of Public Utilities, and other entities unknown to the City of Columbus at this time:

**SECTION 3.** That the expenditure of \$838,000.00, or so much thereof that may be needed, be and hereby is authorized to be expended from Fund 703, the 1995, 1999 Voted Refuse Collection Fund, Department No. 59-02, Refuse Collection Division, Object Level One Code 06, Object level Three Code 6602, OCA Code 703004, Project 520004, in regard to the action authorized in SECTIONS 1 and 2:

**SECTION 4.** That to expedite the recovery of fuel and the reclamation of the ground, this ordinance is hereby to be declared an emergency measure and shall take effect and be in force from and after its passage and approval by the Mayor or ten days after passage if the Mayor neither approves nor vetoes the same.