

**EMERGENCY**

**JWF**

**-2025**

**AUTHORIZING** the payment of \$150,013.26 from Stormwater Management Fund Stormwater Management Utility non-personnel operating budget account no. 107x311x4000x7264 to Rack & Ballauer Excavating Company, Inc. for outstanding charges related to stormwater infrastructure repair services for the period of May 10, 2024 to April 9, 2025, pursuant to the attached then and now certificate from the Director of Finance.

WHEREAS, on October 1, 2022, the City entered into Contract 221W046032 with Rack & Ballauer Excavating Company, Inc. (“Contractor”) for stormwater infrastructure repair services; and

WHEREAS, on May 10, 2024, the Stormwater Management Utility authorized work under the existing contract, but funds were not properly certified to the contract when this work was performed; and

WHEREAS, in April 2025, Contractor invoiced the City \$150,013.26 for stormwater infrastructure repair services; and

WHEREAS, pursuant to Ohio Revised Code 5705.41(D)(1), the Director of Finance has issued a certificate, attached to this ordinance, verifying that a sufficient sum was appropriated and in the City Treasury for the purpose of paying such charges under the contract both at the time the services were authorized and at the time the attached certificate was issued; and

WHEREAS, Council desires to provide payment to Contractor for the City’s outstanding obligation of \$150,013.26 for completed stormwater infrastructure repair services from May 10, 2024 to April 9, 2025; now, therefore,

BE IT ORDAINED by the Council of the City of Cincinnati, State of Ohio:

Section 1. That the Director of Finance is authorized to pay \$150,013.26 from Stormwater Management Fund Stormwater Management Utility non-personnel operating budget account no. 107x311x4000x7264 to Rack & Ballauer Excavating Company, Inc. for outstanding charges related to stormwater infrastructure repair services provided to the City for the period of May 10, 2024 to April 9, 2025.

Section 2. That the proper City officials are authorized to do all things necessary and proper to carry out the provisions of Section 1.

Section 3. That this ordinance shall be an emergency measure necessary for the preservation of the public peace, health, safety, and general welfare and shall, subject to the terms of Article II, Section 6 of the Charter, be effective immediately. The reason for the emergency is the immediate need to make payment to Rack & Ballauer Excavating Company, Inc. for the outstanding charges in a timely manner.

Passed: \_\_\_\_\_, 2025

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Aftab Pureval, Mayor

Attest: \_\_\_\_\_  
Clerk