


June 11, 2025

To: Mayor and Members of City Council

202501198

From: Sheryl M. M. Long, City Manager 

Subject: **Emergency Ordinance – Parks: Moral Obligation Payment to Nelson Stark Company**

Attached is an Emergency Ordinance captioned:

AUTHORIZING a payment of \$26,689 from capital improvement program project account no. 980x203x0000x7671x222000, "Park Infrastructure Rehabilitation," as a moral obligation to Nelson Stark Company for additional plumbing repairs completed at Yeatman's Cove in August 2024.

This Emergency Ordinance authorizes a payment of \$26,689 from capital improvement program project account no. 980x203x0000x7671x222000, "Park Infrastructure Rehabilitation," as a moral obligation to Nelson Stark Company for additional plumbing repairs completed at Yeatman's Cove in August 2024.

In March 2024, the City solicited bids to investigate and repair a water main leak at Yeatman's Cove in Cincinnati, and Nelson Stark Company ("Contractor") provided the lowest and best bid of \$18,346 for the repair of a hydrant with sod contingency. The Contractor and the City entered into contract no. 243C009154 to complete the repair of the hydrant with a sod contingency. The Contractor's original bid also included a higher project amount of \$46,461 for hydrant replacement, a sod contingency, and a concrete contingency, but the City did not encumber that amount.

Once the Contractor began the repairs at Yeatman's Cove, an additional leak was identified, and the Parks Department permitted the Contractor to complete the second repair under the impression that \$46,461 had been encumbered. Due to this misunderstanding, a change order was not completed before additional repairs were authorized, and additional resources were not encumbered. A moral obligation ordinance is required to pay the Contractor in the amount of \$26,689 for the additional repair services performed for the City at Yeatman's Cove.

There are sufficient resources in capital improvement program project account no. 980x203x0000x7671x222000, "Park Infrastructure Rehabilitation," to provide a moral obligation payment to Nelson Stark Company for the additional repair services that were provided to the City.

The reason for the emergency is the immediate need to pay Nelson Stark Company for the additional plumbing repairs completed at Yeatman's Cove in August 2024.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Steve Webb, Finance Director

Attachment