

April 12, 2023

To: Mayor and Members of City Council

From: Sheryl M. M. Long, City Manager

202301092

Subject: **Emergency Ordinance – DOTE: Terracon Consultants, Inc.
Moral Obligation**

Attached is an Emergency Ordinance captioned:

AUTHORIZING a payment in an amount of \$19,050 to Terracon Consultants, Inc., as a moral obligation of the City of Cincinnati for professional services completed for the Wasson Way project.

Approval of this Emergency Ordinance authorizes a payment in an amount of \$19,050 from capital improvement program project account no. 980x232x3000x7689x222371, “Wasson Way Trail,” to Terracon Consultants, Inc., as a moral obligation of the City of Cincinnati for professional services completed for the Wasson Way project.

The City of Cincinnati entered into a Master Agreement for Professional Services (the “Contract”) with Terracon Consultants, Inc. (“Terracon”) for a variety of as-needed environmental services as requested by the City. The City requested environmental site assessment services related to Wasson Way Phase 6 and Terracon provided a proposal that was acceptable to the City. Terracon signed the work order that incorporated the proposal (the “Work Order”) and submitted it to the City. Funds were not certified for the Work Order and the Work Order was not presented to the City Manager for signature prior to the Contract’s expiration date. Terracon and the City were under the mistaken belief that the Work Order was executed before Terracon was authorized to begin the work, necessitating a moral obligation payment.

Sufficient resources are available in existing capital improvement program project account no. 980x232x3000x7689x222371, Wasson Way Trail,” to pay Terracon for the services provided to the City pursuant to the Work Order.

The reason for the emergency is the immediate need to pay Terracon in a timely manner for services provided to the City of Cincinnati.

The Administration recommends passage of this Emergency Ordinance.

cc: Andrew M. Dudas, Budget Director
Karen Alder, Finance Director

Attachment