

<p><u>TITLE</u> AN ORDINANCE DECLARING A PUBLIC EMERGENCY IN CONNECTION WITH THE EMERGENCY PURCHASE OF LIQUID CHLORINE FOR USE IN THE DRINKING WATER TREATMENT PROCESS AT THE AMISS WATER TREATMENT PLANT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.</p>	<p><u>DATE</u> 08/25/2022</p>	<p><u>ORIGINATING DEPARTMENT</u> Department of Water & Sewerage</p> <p><u>COUNCIL DISTRICT</u> All</p> <p><u>SPONSOR</u></p>
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PURPOSE
 To ratify the Department of Water & Sewerage Emergency purchasing of liquid chlorine on an interim basis without the delays associated with public bids. This ordinance will have direct impact on all Council Districts.

BACKGROUND INFORMATION
 We were under a 1-year agreement to purchase chlorine from Brenntag Southwest for \$1,196 per ton. This agreement includes renewal at 1-year increments for up to four (4) additional years. At this year’s expiration/renewal on August 10, 2022, Brenntag Southwest informed us they would only renew if we accepted a price increase from \$1,196 to \$1,858 per ton. They also stated they could only agree to hold this pricing for 90 days, not the 1-year agreement specified at bid time. We were unable to accept the request for increase as it violate the terms of our agreement under IFB 21-036. There were no additional bidders on IFB 21-036. Because of this, we are currently routing a solicitation request to go out for bid for liquid chlorine.

Between the agreement’s expiration and the awarding of the bid, we must continue purchase/use chlorine in the water treatment process. Brenntag Southwest has agreed to continue to supply us with liquid chlorine in the interim at a cost of \$1,800 per ton. Our estimated total expenditure is \$288,000.00, which is available in the 2022 Purification Division chemical budget.

<p><u>TIMETABLE</u> Introduction: September 13, 2022 Final Passage: September 27, 2022</p>	<p><u>ATTACHMENT(S)</u></p>
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SPECIAL PROCEDURAL REQUIREMENTS
 [N/A]

<p><u>FINANCES</u> \$288,000</p>	<p><u>SOURCE OF FUNDS</u> W&S OPERATING BUDGET</p>
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ALTERNATIVES
 (1) Adopt the ordinance as submitted, or (2) Amend the ordinance, or (3) Reject the ordinance.

RECOMMENDATION
 It is recommended that the City Council adopt the ordinance.

FACT SHEET PREPARED BY: Annette Cash, Finance Manager

ORDINANCE NO. _____ OF 2022

AN ORDINANCE DECLARING A PUBLIC EMERGENCY IN CONNECTION WITH THE EMERGENCY PURCHASE OF LIQUID CHLORINE FOR USE IN THE DRINKING WATER TREATMENT PROCESS AT THE AMISS WATER TREATMENT PLANT AND TO OTHERWISE PROVIDE WITH RESPECT THERETO.

WHEREAS, the Department of Water & Sewerage Purification Division purchased liquid chlorine gas from Brenntag Southwest under IFB 21-036 at a price of \$1,196.00 per ton; and

WHEREAS, Brenntag Southwest requested a price increase to \$1858 per ton for a term of 90 days upon expiration of their agreement on August 10, 2022; and

WHEREAS, The Department of Water & Sewerage Purification Division was unable to accept the new pricing because it violated the terms set forth in IFB 21-036 and is issuing a new solicitation request for liquid chlorine; and

WHEREAS, Department of Water & Sewerage Purification Division must continue to purchase liquid chlorine gas for use as a primary disinfectant used to kill microorganisms and harmful pathogens in the drinking water when it is produced at the treatment plant, then pumped and stored in the distribution system for use by customers; and

WHEREAS, without this essential chemical, there would be outbreaks of waterborne diseases and infections with potentially fatal impacts to the population we serve, rendering the City of Shreveport in violation of state and federal regulations warranting prosecution and litigation for violation of the Safe Drinking Water Act; and

WHEREAS, the Department of Water & Sewerage Purification Division will purchase and use approximately 160 tons of liquid chlorine between the expiration of IFB 21-036 and the issuance and awarding of the new IFB for the purchase of liquid chlorine; and

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Shreveport in due, legal, and regular session convened, that the emergency action of the Department of Water & Sewerage to purchase approximately 160 tons of liquid chlorine hereby authorized and ratified and that the expenditure of approximately \$288,000 for this purpose is hereby authorized.

BE IT FURTHER ORDAINED that monies for this emergency purchase shall come from the Water and Sewerage Purification Division Operating Budget.

BE IT FURTHER ORDAINED that a public emergency is hereby declared and notice of such public emergency shall, within ten days thereof, be published in the official journal of

the City of Shreveport proposing or declaring such public emergency in accordance with Section 38:2212(P) of the Louisiana Revised Statutes.

BE IT FURTHER ORDAINED that if any provision or item of this ordinance or application thereof is held invalid, such invalidity shall not affect other provisions, items or applications of this ordinance which can be given effect without the invalid provisions, items, or application, and to this end, the provisions of this ordinance are hereby declared severable.

BE IT FURTHER ORDAINED that all ordinances or parts thereof in conflict herewith are hereby repealed.

APPROVED AS TO LEGAL FORM:

City Attorney's Office