

RESOLUTION OF THE OKLAHOMA CITY WATER UTILITIES TRUST RATIFYING THE ACTIONS OF THE GENERAL MANAGER IN DECLARING AN EMERGENCY; WAIVING COMPETITIVE BIDDING; AND ISSUING EMERGENCY PURCHASE ORDER NOS. 03052020WB01 TO AERZEN RENTAL USA AND 02162021DDM02 TO LONE STAR BLOWERS, INC., FOR THE RENTAL, MAINTENANCE, AND SERVICE OF BLOWERS FOR THE DEER CREEK WASTEWATER TREATMENT PLANT; AND RATIFYING PAYMENTS; AND AUTHORIZING ADDITIONAL PAYMENTS FOR ANTICIPATED CONTINUING SERVICES AND EQUIPMENT UNTIL THE EMERGENCY IS RESOLVED, ESTIMATED COST \$1,900,000.

WHEREAS, The Oklahoma City Water Utilities Trust (OCWUT) leases and finances the Oklahoma City wastewater systems, which provide wastewater collection and treatment for Oklahoma City and the greater Oklahoma City area; and

WHEREAS, on March 5, 2020, Deer Creek Wastewater Treatment Plant primary activated sludge aeration basin blowers began experiencing progressive catastrophic failures; and

WHEREAS, continuous provision of compressed air to diffusers in the basin ensures that the bacteria in the wastewater sludge receives oxygen necessary to the treatment process; and

WHEREAS, therefore, blowers are essential equipment in the treatment process to continue meeting federal and state environmental regulations; and

WHEREAS, as a result of these failures, the OCWUT General Manager declared an emergency and authorized the rental of blowers until a permanent solution could be completed; and

WHEREAS, initially two blowers and services were provided through the issuance of Emergency Purchase Order (EPO) number 03052020WB01 to Aerzen Rental USA; and

WHEREAS, on February 8, 2021, through OCWUT ST-0166, three identically sized blowers were purchased and subsequently installed, and

WHEREAS, later, an additional blower at the Deer Creek catastrophically failed on February 16, 2021, necessitating rental of blowers and services through issuance of Emergency Purchase Order EPO 02162021DDM02 from Lone Star Blowers, Inc (Lone Star), as Aerzen Rental USA did not have additional available blowers; and

WHEREAS, due to the age and unique configuration of the aeration system, it was necessary to continue renting blowers for an extended time to provide time for development and implementation of a long-term solution; and

WHEREAS, additionally, there was a lack of availability of replacement equipment due to the pandemic; and

WHEREAS, however, the equipment would not operate successfully since the system needed more air than the equipment could provide; and

WHEREAS, as a result, an engineering evaluation was conducted and it was determined that the new equipment and air delivery systems needed to be retooled to meet the current aeration needs of the treatment process; and

WHEREAS, this effort is now being finalized through a capital project (OCWUT ST-0163); and

WHEREAS, there were no existing on-call contracts for the equipment and services needed to address this emergency; and

WHEREAS, numerous vendors were contacted for assistance with minimal success; and

WHEREAS, only Lone Star had the quantity of available immediate resources and equipment to continually satisfy the needs of the emergency; and

WHEREAS, OCWUT continues renting the necessary equipment obtained via emergency purchase; and

WHEREAS, Project ST-0163 is in the planning stages with anticipated construction award on or about June 2024; and

WHEREAS, the rental blowers will be necessary until the construction contractor effectively replaces the blowers and completes the related system modifications; and

WHEREAS, this emergency declaration was inadvertently not ratified in a timely manner; and

WHEREAS, new procedures have been put in place to ensure that future emergency declarations are timely ratified; and

NOW, THEREFORE, BE IT RESOLVED by the Trustees of the Oklahoma City Water Utilities Trust that they do hereby ratify the actions of the General Manager in declaring an emergency; waiving competitive bidding; and issuing emergency Purchase Order Nos. 03052020WB01 to Aerzen Rental USA and 02162021DDM02 to Lone Star Blowers Inc., for the rental, maintenance, and service of blowers for the Deer Creek Wastewater Treatment Plant; and

BE IT FURTHER RESOLVED by the Trustees of the Oklahoma City Water Utilities Trust that they do hereby ratify payments of the emergency work orders; and

BE IT FURTHER RESOLVED by the Trustees of the Oklahoma City Water Utilities Trust that they do hereby authorize additional payments for anticipated continuing services and equipment until the emergency is resolved, estimated cost \$1,900,000.

ADOPTED by the Trustees and signed by the Chairman of the Oklahoma City Water Utilities Trust this _____ day of _____, 2024.

ATTEST:

**OKLAHOMA CITY WATER
UTILITIES TRUST**

SECRETARY

CHAIRMAN

CONCURRED by the Council and signed by the Mayor of The City of Oklahoma City this _____ day of _____, 2024.

ATTEST:

THE CITY OF OKLAHOMA CITY

CITY CLERK

MAYOR

REVIEWED for form and legality.



ASSISTANT MUNICIPAL COUNSELOR