

AN ORDINANCE AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ARENTFOX SCHIFF LLP, AS OUTSIDE COUNSEL, FOR ~~ASSISTANCE WITH THE INITIAL ASSESSMENT OF ENVIRONMENTAL AND COMPLIANCE OPTIONS CONCERNING THE U.S. ENVIRONMENTAL PROTECTION AGENCY'S~~ 2024 EFFLUENT LIMITATION GUIDELINES RULE, IN AN AMOUNT NOT TO EXCEED \$275,000.00 AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE ~~SAME AMOUNT TO FUND~~ AMOUNT NOT TO EXCEED \$50,000.00 FOR SAID PROJECT, AND FURTHER AUTHORIZING THE USE OF THE ENVIRONMENTAL AND REGULATORY INITIATIVES AND REBATE FUND (ERIRF) FOR SAID PROJECT, FOR THE OFFICE OF PUBLIC UTILITIES,

Proposed Amendment 1 2024-151

WHEREAS, this Ordinance approves a Professional Service Agreement with ArentFox Schiff LLP ("Schiff") as Outside Counsel in an amount not to exceed \$275,000.00, for their assistance with the 2024 Effluent Limitation Guidelines ("ELG") Rule, provided that if the total expenditure exceeds \$50,000.00, additional City Council approval will be required; and

WHEREAS, the ~~Office of Public Utilities anticipates that the~~ United States Environmental Protection Agency ("USEPA") will~~has~~ issued a final regulation ~~in the spring or summer of 2024~~ that ~~will~~ impacts the water discharges from CWLP's pretreatment system, and

WHEREAS, Schiff will assist in evaluating the legal options available for the Office of Public Utilities,
and

WHEREAS, Schiff is qualified and able to provide the services needed in an amount not to exceed
~~\$275,000.00~~ \$50,000.00, and

WHEREAS, in accordance with the provisions of Section 38.42 of the City Code, the Purchasing Agent has determined that this contract is not subject to sealed competitive bidding, and.

WHEREAS, this Ordinance authorizes a Supplemental Appropriation in the amount of ~~\$275~~ 50,000.00 from the City of Springfield's ERIRF funds into Account No. 102-400-F-7882-1217 to fund the said project, and

WHEREAS, the project is being financed through the Environmental and Regulatory Initiatives and Rebate Fund (ERIRF), and

WHEREAS, per Ordinance 221-06-16, expenses from the ERIRF Fund require approval by the Mayor and City Council, and

WHEREAS, it is in the City's best interest to authorize payment of ~~\$275~~ 50,000.00 from the ERIRF fund for a professional service agreement with Schiff as Outside Counsel for their assistance with the 2024 Effluent Limitation Guidelines ("ELG") Rule.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF SPRINGFIELD, ILLINOIS:

Section 1. The Council of the City of Springfield, Illinois, hereby approves and authorizes a Professional Service Agreement with Schiff in an amount not to exceed Two Hundred Seventy-Five Thousand Dollars and No Cents (\$275,000.00) for their total assistance with the 2024 Effluent Limitation Guidelines ("ELG") Rule; provided, that any expenditure beyond \$50,000.00 shall be subject to further approval by the City Council.

Section 2. The Council of the City of Springfield, Illinois, hereby authorizes a Supplemental Appropriation in the amount of \$2750,000.00 from the City of Springfield's ERIRF into Account No. 102-400- F-7882-1217 to fund the project.

Section 3. The Mayor and the City Clerk are hereby authorized and empowered to execute said agreement on behalf of the City of Springfield Office of Public Utilities.

Section 4. The City Council hereby authorizes the use of funds from the ERIRF fund in the amount not to exceed ~~Two Hundred Seventy Five Thousand Dollars and No Cents (\$275,000.00)~~ Fifty Thousand Dollars and No Cents (\$50,000.00) for Schiff's assistance with the 2024 Effluent Limitation Guidelines ("ELG") Rule.

Section 5. The payment to Schiff for the total maximum amount of ~~Two Hundred Seventy Five Thousand Dollars and No Cents (\$275,000.00)~~ Fifty Thousand Dollars and No Cents (\$50,000.00) from Account No. 102-400-F-7882-1217 is hereby authorized, approved, and directed.

Section 6. This Ordinance shall become effective immediately upon its passage and recording with the City Clerk.

PASSED: _____,2024

SIGNED: _____,2024

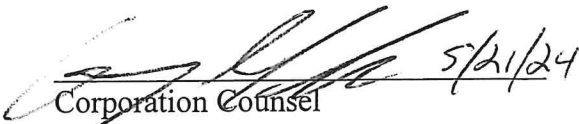
RECORDED: _____,2024

MAYOR

ATTEST: _____

SPONSOR: Alderwoman Jennifer Notariano

Approved as to legal sufficiency:


Corporation Counsel 5/21/24