

Ordinance No. 1253-2023

**By Council Members Kazy and Griffin
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the purchase by one or more requirement contracts of hauling and disposing of residuals from the Crown Water Works Plant, and in emergencies, other water treatment plants; authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with Polydyne, Inc. for polymer chemicals needed for dewatering Crown's residuals, for the Division of Water, Department of Public Utilities, for a term up to two years.

WHEREAS, this ordinance constitutes an emergency measure providing for the usual daily operation of a municipal department; now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF CLEVELAND:

Section 1. That the Director of Public Utilities is authorized to make one or more written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, for the requirements for a term up to two years of the necessary items of hauling and disposing of residuals from the Crown Water Works Plant, and in emergencies, other water treatment plants, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Water, Department of Public Utilities. Bids shall be taken in a manner that permits an award to be made for all items as a single contract, or by separate contract for each or any combination of the items as the Board of Control determines. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

Section 2. That this Council determines that the following commodities are non-competitive and cannot be secured from any source other than Polydyne, Inc. Therefore, the Director of Public Utilities is authorized to make one or more written requirement contracts with Polydyne, Inc., on the basis of its proposal dated October 19, 2023, for the requirements for term up to two years of the necessary items of polymer chemicals needed for dewatering Crown's residuals, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Division of Water, Department of Public Utilities.

Section 3. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative agreements with other

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governmental agencies. The Director of Public Utilities may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 4. That the costs of the contract or contracts shall be charged against the proper appropriation accounts and the Director of Finance shall certify the amount of any purchase under the contract, each of which purchases shall be made on order of the Commissioner of Purchases and Supplies by a delivery order issued against the contract or contracts and certified by the Director of Finance. (RQN 2002, RL 2023-45)

Section 5. That this ordinance is declared to be an emergency measure and, provided it receives the affirmative vote of two-thirds of all the members elected to Council, it shall take effect and be in force immediately upon its passage and approval by the Mayor; otherwise it shall take effect and be in force from and after the earliest period allowed by law.

BD:nl
10-30-2023
FOR: Director Keane

