

Ordinance No. 653-2021

By Council Members Kazy and Kelley
(by departmental request)

AN EMERGENCY ORDINANCE

To amend Ordinance No. 1368-15, passed December 7, 2015, by adding two new whereas clauses and Sections 2 and 2a; to amend Section 1; to amend and renumber Section 2 to Section 1a; relating to the public improvement of constructing the Boosted Third High System in Richfield, Ohio and related site improvements.

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 Ordinance No. 1368-15, passed December 7, 2015, is amended by adding two new whereas clauses to read as follows:

WHEREAS, the Division of Water is contracted to provide water service to currently unwatered portions of the Richfield, Ohio area, creating a new pressure district called Boosted Third High; and

WHEREAS, constructing a new pump station and elevated water tower, installing water mains, and making related site improvements are components of the Boosted Third High System in Richfield, Ohio, (the "Improvement"); and

Section 2. That Section 1 of Ordinance No. 1368-15, passed December 7, 2015, is amended to read as follows:

Section 1. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing the ~~Boosted Third High System in Richfield, Ohio and related site improvements~~ pump station and water tower and making related site improvements needed for the Improvement ("Improvement") for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for ~~the those portions of the~~ Improvement.

Section 3. That existing Section 1 of Ordinance No. 1368-15, passed December 7, 2015, is repealed.

Section 4. That Section 2 of Ordinance No. 1368-15, passed December 7, 2015, is renumbered to Section 1a and is amended to read as follows:

Section 2 Section 1a. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement components described in Section 1 with the lowest responsible bidder or bidders after competitive bidding for a gross price for ~~the those portions of the~~ Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate Improvement, and each, or any combination, of the trades or components may be the subject of a separate contract for a gross price. On request of the director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of ~~the those portions of the~~ Improvement. That a copy of the request for legislation, summarizing the project, has been placed in File No. 1369-15-A.

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Section 5. That existing Section 2 of Ordinance No. 1368-15, passed December 7, 2015, is repealed.

Section 6. That Ordinance No. 1368-15, passed December 7, 2015 is amended by adding new Sections 2 and 2a to read as follows:

Section 2. That, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of installing water mains needed for the Improvement for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for that portion of the Improvement.

Section 2a. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the public improvement component described in Section 2 with the lowest responsible bidder or bidders after competitive bidding on a unit basis for that portion of the Improvement, provided, however, that each separate trade and each distinct component part of the Improvement may be treated as a separate Improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis. That a copy of the request for legislation, summarizing the project, has been placed in File No. 1369-15-A.

Section 7. 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.

LW:nl
8-18-2021
FOR: Interim Director Keane

