

# Ordinance No. 763-2021

By Council Members Kazy and Kelley  
(by departmental request)

## AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to enter into one or more contracts without competitive bidding with Windstream Holdings II, LLC dba Kinetic Business by Windstream for telecommunication service lines for primary and backup communications for SCADA control, security cameras, and telephones at various locations which are outside of Cuyahoga County and beyond the AT&T service area; and to authorize payment of monthly charges to Windstream, for a period up to three years, for the Division of Water, Department of Public Utilities.

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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 this Council determines that the within services are non-competitive and cannot be secured from any source other than Windstream Holdings II, LLC dba Kinetic Business by Windstream (“Windstream”). Therefore the Director of Public Utilities is authorized to make one or more written contracts with Windstream on the basis of its proposal for telecommunication service lines for primary and backup communications for SCADA control, security cameras, and telephones at locations which are outside of Cuyahoga County and beyond the AT&T service area, for a period up to three years, in an amount not to exceed \$75,000. The agreement will include the City’s obligation to pay monthly charges.

Section 2. That the Agreement shall be prepared by the Director of Law.

Section 3. That the costs of the contract or contracts and applicable subscription and service fees authorized by this ordinance shall be paid from Fund No. 52 SF 001, Request No. RQS 2002, RL 2021-60.

Section 4. 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.

CH:nl  
9-20-2021  
FOR: Interim Director Keane

