

# Ordinance No. 245-2022

## AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into one or more requirement contracts with Siemens Industry, Inc. for software, labor and materials necessary to maintain, repair, upgrade, and expand the existing Apogee building automation system, for the Division of Airports, Department of Port Control, for a period not to exceed two years, with two one-year options to renew, the first of which requires additional legislative authority.

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

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 commodities and services are non-competitive and cannot be secured from any source other than Siemens Industry, Inc. Therefore, the Director of Port Control is authorized to make one or more written requirement contracts with Siemens Industry, Inc., on the basis of their proposals, each dated January 31, 2022, for the requirements for a period not to exceed two years, with two one-year options to renew, the first of which requires additional legislative authority, for necessary items of software, labor and materials necessary to maintain, repair, upgrade, and expand the existing Apogee building automation system, which includes but is not limited to, interior and exterior lighting controls, HVAC, boilers, chillers, cooling towers, pumps, and air handlers, for the Division of Airports, Department of Port Control. The first of the one-year options to renew may not be exercised without additional legislative authority. If such additional legislative authority is granted and the first of the one-year options to renew is exercised, then the second of the one-year options to renew may be exercisable at the option of the Director of Port Control, without the necessity of obtaining additional authority of this Council.

Section 2. 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 3001, RL 2022-2)

Section 3. 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.

RS:nl  
3-7-2022  
FOR: Director Kennedy

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REPORT  
after second Reading

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READ FIRST TIME on MARCH 7, 2022

and referred to DIRECTORS of Port Control, Finance, Law;  
COMMITTEES on Transportation and Mobility;  
Finance Diversity Equity and Inclusion

REPORTS

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CITY CLERK

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READ SECOND TIME

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CITY CLERK

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READ THIRD TIME

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PRESIDENT

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CITY CLERK

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APPROVED

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MAYOR

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| PASSAGE RECOMMENDED BY<br>COMMITTEE ON<br>TRANSPORTATION and<br>MOBILITY |       |
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| PASSAGE RECOMMENDED BY<br>COMMITTEE ON<br>FINANCE, DIVERSITY, EQUITY<br>and INCLUSION |       |
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