

THERE IS NO LEGAL OBJECTION TO THIS LEGISLATION IF AMENDED AS FOLLOWS:

1. In the title, line 6, strike "Director of Capital Projects" and insert "Directors of Capital Projects, Finance and Public Safety"; in line 10, after "improvement" insert "and professional services for procurement modifications"; in line 12, after "for the" insert "HVAC"; and in line 14, after "payment contracts" strike "and loan contracts".

2. In the second whereas clause, line 1, after "May 20, 2025, insert "as amended,"; in line 4, strike "Districts" and insert "District"; and in line 6, strike "District" and insert "Districts".

3. In the fourth whereas clause, line 1, strike "712.02" and insert "717.02".

4. In the fifth whereas clause, line 2, strike "712.02(D)" and insert "717.02(D)".

5. In Section 1, line 2, after "Conservation Report," insert "placed in File No. 723-2025-A,".

6. In Section 2, line 2, after "exception to" strike "the Codified Ordinances of"; in line 10, after "717.02" insert "and may also include professional services for procurement modifications to achieve additional cost savings for the City as further described in the Energy Conservation Report,"; and in line 11, strike "Director of Capital Projects" and insert "Directors of Capital Projects, Finance and Public Safety".

7. Strike Section 3 in its entirety and insert the following new Section 3 to read as follows:

"Section 3. That the Director of Public Works 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 total term not to exceed the aggregate of the terms of any financing agreements entered into under Section 4 of this ordinance or twenty (20) years, whichever is greater, of the necessary items of labor and materials necessary to maintain, test, inspect, repair, or enhance the HVAC replacements of the Project, including, but not limited to, environmental controls, associated software, and components, and the rental of component parts, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Police, Department of Public Safety ("Maintenance Contract"). 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.

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.

That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Public Works 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. The Director of Public Works shall provide written notice to the Clerk of Council ("Clerk") whenever any purchase is made through the cooperative process, which notice shall include the details of such cooperative purchases."

8. In Section 4, line 3, strike "and installation of the conservations" and insert ", installation, and implementation of the conservation"; and in line 6, strike "twenty percent (20%)" and insert "five percent (5%)".

9. In Section 5, line 4, after "engaging" insert "financial advisors,".

10. In Section 6, line 3, strike "prior to the date of this ordinance".

11. Strike Sections 7 and 8 in their entirety and renumber existing Sections 9, 10, 11, and 12 to new "Section 7", "Section 8", "Section 9", and "Section 10".

12. In renumbered Section 8, at the end, after "described in this ordinance." insert the following sentence. "That all contracts otherwise authorized by this ordinance shall be approved by the Director of Law and shall contain any terms and conditions as are required to protect the interests of the City.".

13. In renumbered Section 10, line 2 strike "or Loan Contract"; in line 3 strike "or Section 7, respectively,"; in line 5, strike "future" and insert "2025"; in line 6, strike ", Installment Contract and Loan Contract" and insert "and Installment Contract"; in line 7, strike "3, 4, and 7" and insert "3 and 4"; and in line 9, at the end, after "Director of Finance." insert "(RQS 0103, RLA 2025-54)".

14. Insert new Section 11 to read as follows:

"Section 11. That the Director of Capital Projects shall provide quarterly reports to the Clerk during Project construction and annual reports to the Clerk of cost savings after the Project completion."

15. Renumber existing Section 13 to new "Section 12".

Date: _____ (Signed): _____
Stephanie Melnyk
Chief Corporate Counsel

Ord. No. 723-2025