

# Ordinance No. 767-2023

By Council Members Kazy and Griffin  
(by departmental request)

## AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to enter into various written standard purchase and requirement contracts with Itron Incorporated for the purchase of meters and related equipment and services and labor and materials to provide modifications to existing equipment for a period of three years; and authorizing the Director to enter into one or more contracts with Itron Incorporated to provide hardware and software maintenance and to upgrade existing software systems, for the Department of Public Utilities, for a period of one year, with two one-year options to renew, exercisable by the Director 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 commodities and services are non-competitive and cannot be secured from any source other than Itron Incorporated (“Itron”). Therefore, the Director of Public Utilities is authorized to make one or more written standard purchase contracts and written requirement contracts for the requirements for a period of three years, for the necessary items of meters and related equipment and services and labor and materials to provide modifications to existing equipment, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the 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.

Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts with Itron for professional services necessary to provide hardware and software maintenance and installation of upgrades to the existing software system, for the Department of Public Utilities, for a period of one year, with two one-year options to renew, exercisable by the Director of Public Utilities.

Section 3. 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 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 cost of the contracts authorized in this ordinance shall be paid from Fund No. 52 SF 001. (RQN 2002, RL 2023-33 and RQS 2002, RLA 2023-59)

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.

