

# Ordinance No. 665-2022

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

## AN EMERGENCY ORDINANCE

Determining the method of making the public improvement of both designing and constructing updates to and expansion of the In-Line Baggage Handling System at Cleveland Hopkins International Airport; authorizing the Director of Port Control to enter into one or more contracts with AvAirPros Services, Inc. for that purpose; and authorizing the purchase of materials, equipment, supplies and services to implement the improvement.

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WHEREAS, the unique design, time, budgetary, or other material elements of this project can benefit from the special care, coordination, and expeditiousness possible by performance of both the professional design services and the construction under a design-build approach contract with a single entity; and

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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of designing and constructing updates to and expansion of the In-Line Baggage Handling System at Cleveland Hopkins International Airport (the “Improvement”), for Cleveland Hopkins International Airport, Department of Port Control, by one or more maximum guaranteed price design-build or engineer-procure-construct contracts duly let to AvAirPros Services, Inc. based upon its July 7, 2022 proposal to design and construct the Improvement.

Section 2. That the Director of Port Control is authorized to enter into one or more contracts with AvAirPros Services, Inc. to design and construct the Improvement.

Section 3. That the Director of Port Control is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 4. That the Director of Port Control is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of materials, equipment, supplies, and services, needed to implement the Improvement, to be

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purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of Port Control. 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. In lieu of utilizing the authority contained in this ordinance, and notwithstanding the provisions of Codified Ordinance Section 181.101 to the contrary, nothing shall prohibit purchases described in this section from being procured under an existing or future requirements contract authorized under Codified Ordinance Section 181.101, payable from the funds identified in this ordinance.

Section 5. That the costs of the requirement 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.

Section 6. 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 Port Control 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 7. That the cost of the Improvement and all associated costs and expenditures shall not exceed \$2,500,000 and shall be paid from Fund Nos. 60 SF 167, 60 SF 170, and any funds approved by the Director of Finance to implement this ordinance. (RQS 3001, RL 2022-78)

Section 8. 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  
7-13-2022  
FOR: Director Kennedy

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REPORT  
after second Reading

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READ FIRST TIME on JULY 13, 2022

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

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

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PASSAGE RECOMMENDED BY  
COMMITTEE ON  
**TRANSPORTATION and  
MOBILITY**

FILED WITH COMMITTEE

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