

# Ordinance No. 1278-17

**Council Members K. Johnson and Kelley  
(by departmental request)**

## **AN EMERGENCY ORDINANCE**

Authorizing the Director of Public Works to apply for and accept a grant from the Ohio Department of Education for the 2018 Summer Food Service Program; authorizing the purchase by requirement contract of breakfasts and lunches and for food, food products, beverages, condiments and paper products to implement the grant, for the Division of Recreation, Department of Public Works; and authorizing the Director to contract with various non-profit organizations for the implementation of the Program.

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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 the Director of Public Works is authorized to apply for and accept a grant in the approximate amount of \$400,000.00, from the Ohio Department of Education, to conduct the 2018 Summer Food Service Program for the purposes described in the summary; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grant; and that the funds are appropriated for the purposes described in the summary for the grant contained in the file described below.

Section 2. That the summary for the grant, File No. 1278-17-A, made a part of this ordinance as if fully rewritten, as presented to the Finance Committee of this Council at the public hearing on this legislation, is approved in all respects and shall not be changed without additional legislative authority.

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 during the grant term of unitized breakfasts and lunches for the breakfast and lunch program to be served at City recreation centers and at various non-profit agencies and other agencies or recreation facilities as determined by the Director, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Division of Recreation, Department of

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Public Works. 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 shall determine.

Section 4. That provided the agencies meet the eligibility requirements of the Ohio Department of Education, the Director of Public Works is authorized to make one or more written contracts with the various non-profit organizations to implement this ordinance.

Section 5. 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 the grant period for the necessary items of various natural foods, food products, beverages, condiments and paper products, to be served as part of the meal program at Camp George L. Forbes, to be purchased by the Commissioner of Purchases and Supplies upon a unit basis for the Division of Recreation, Department of Public Works. 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 shall determine.

Section 6. 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 under a delivery order against the contract or contracts certified by the Director of Finance.

Section 7. 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

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necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 8. That, notwithstanding the provisions of Section 181.24 of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, bidders for the contract or contracts authorized by this ordinance shall be required to submit a bid bond in the amount of five percent of the amount of the bid, as required by United States Treasury Circular 570.

Section 9. That the costs of the contract or contracts authorized by this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance.

Section 10. 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.

KR:nl  
10-23-17

FOR: Director Cox

**Council Members K. Johnson and Kelley (by departmental request)**

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**READ FIRST TIME on OCTOBER 23, 2017**  
**and referred to DIRECTORS of Public Works, Finance, Law;**  
**COMMITTEES on Municipal Services and Properties, Finance**

**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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Published in the City Record \_\_\_\_\_

**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
MUNICIPAL SERVICES  
AND PROPERTIES**

FILED WITH COMMITTEE

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**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE**

FILED WITH COMMITTEE

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