

Ordinance No. 651-2026

Councilmembers Griffin, Polensek

Desk copy prepared for 6-1-2026

AN EMERGENCY ORDINANCE

To amend Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1183-18, passed October 1, 2018, relating to software-related purchases.

WHEREAS, Codified Ordinance Section 181.102 (“Section 181.102”) is an exception for certain software-related purchases to the requirement that all purchases over \$50,000 shall be authorized by ordinance of Council under Codified Ordinance Section 181.10; and

~~WHEREAS, this Council wants to exercise its oversight legislative authority for software-related contracts costing more than \$150,000; and~~

~~WHEREAS, this Council wants thirty (30) days written notice before any resolution may be heard by the Board of Control for acquisition of licenses, software systems, support, or services to be made under Section 181.102; 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 Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1183-18, passed October 1, 2018, is amended to read as follows:

Section 181.102 Authorization to Purchase Software or Other Licenses, Modules, Updates, Enhancements, Training, Technical Support, Maintenance, and Repairs

(a) When a director has been authorized by ordinance to acquire software, ~~the director of the department for which the software was acquired or the Director of Finance~~ Director of Innovation and Technology the Director of Port Control or the Director of Public Utilities for software acquired for their respective departments, or the Director of Innovation and Technology for software acquired for all other City departments, offices, and boards or commissions, is authorized to enter into one (1) or more standard purchase or requirement contracts duly let to the lowest and best bidder as provided in Section 181.10, for software or other licenses, modules, updates, upgrades, enhancements, training, technical support, maintenance, and repair necessary to expand, enhance, implement or maintain the authorized software. ~~.3 provided that the estimated amount per contract year on any individual contract shall not exceed one hundred fifty thousand dollars (\$150,000.00).~~

(b) When a director has been authorized by ordinance to acquire software, ~~the director of the department for which the software was acquired or the Director of Finance~~ Director of Innovation and Technology the Director of Port Control, the Director of Public Utilities, or the Director of Innovation and Technology, as division (a) above prescribes, is authorized to acquire by contract or contracts with one (1) or more software developers or vendors or one (1) or more firms of software developers or vendors, software or other licenses, modules, updates, upgrades, enhancements,

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training, technical support, maintenance, and repair necessary to expand, enhance, implement or maintain the authorized software. ~~., provided that the amount per contract year on any individual contract shall not exceed one hundred fifty thousand dollars (\$150,000.00).~~ The selection of the software developer or vendor ~~developer(s) or vendor(s)~~ shall be made by the Board of Control on the nomination of the ~~director of the department for which the software was acquired or the Director of Finance~~ Director of Innovation and Technology ~~Director of Port Control, the Director of Public Utilities, or the Director of Innovation and Technology, as division (a) above prescribes,~~ from lists of qualified software developers or vendors available for employment as may be determined after a full and complete canvass by the ~~director of the department for which the software was acquired or the Director of Finance~~ Director of Innovation and Technology ~~Director of Port Control, the Director of Public Utilities, or the Director of Innovation and Technology, as division (a) above prescribes,~~ for the purpose of compiling the lists.

(c) When a director has been authorized by ordinance to acquire a software system, the ~~director of the department for which the system was acquired or the Director of Finance~~ Director of Innovation and Technology ~~Director of Port Control, the Director of Public Utilities, or the Director of Innovation and Technology, as division (a) above prescribes,~~ is authorized to execute one (1) or more license agreements for software or other licenses needed to expand, enhance, implement or maintain the system. ~~., provided that the amount per agreement year on any individual agreement shall not exceed one hundred fifty thousand dollars (\$150,000.00).~~

(d) When a director has been authorized to contract with a software developer or vendor, whether specified in an authorizing ordinance or by Board of Control resolution, to acquire software, the ~~director of the department for which the software is acquired or the Director of Finance~~ Director of Innovation and Technology ~~Director of Port Control, the Director of Public Utilities, or the Director of Innovation and Technology, as division (a) above prescribes,~~ is authorized to enter into one (1) or more contracts with the software developer or vendor for ~~professional services necessary to perform as needed services~~ the professional services necessary to expand, enhance, implement or maintain the software, including but not limited to, integration, implementation, migration, installation, design, interfacing, maintenance, repair, upgrades, enhancements, training, training registration, testing, and technical support. ~~., provided that the amount per contract year on any individual contract shall not exceed one hundred fifty thousand dollars (\$150,000.00).~~

(e) The Board of Control shall fix the compensation to be paid for the software or other ~~license~~ license(s), software systems or services authorized under this ordinance which shall be paid from the annual appropriation made for such purpose. The contract or contracts shall be prepared by the Director of Law, approved by ~~the director of the department for which the purchase is made or the Director of Finance~~ Director of Innovation and Technology, ~~and certified by the Director of Finance~~ the Director of Port Control, the Director of Public Utilities, or the Director of Innovation and Technology, as division (a) above prescribes, approved by the Director of Law, and certified by the Director of Finance.

(f) Nothing in this section shall be construed to authorize the acquisition of ~~new~~ licenses, software or any professional services that, in the judgment of the ~~Director of Finance~~ Director of Innovation and Technology, would significantly expand or modify the performance characteristics of the originally authorized software beyond the function or purpose capabilities identified in the ordinance authorizing the initial acquisition.

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(g) 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 Finance~~ Director of Innovation and Technology may sign all documents that are The Director of Port Control, the Director of Public Utilities, or the Director of Innovation and Technology, as division (a) above prescribes, may execute all documents necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

(h) That the Director of Port Control, the Director of Public Utilities, or the Director of Innovation and Technology, as appropriate, shall notify Council, through its Clerk and appropriate Committee Chair, thirty (30) days before any resolution may be heard by the Board of Control for acquisition of licenses, software systems, support, or services to be made under this section. Such notice shall include the name of the software developer or vendor, a summary description of the acquisition, and its cost.

Section 2. That existing Section 181.102 of the Codified Ordinances of Cleveland, Ohio, 1976, as amended by Ordinance No. 1183-18, passed October 1, 2018, is repealed.

Section 3. That, within ninety (90) days after the effective date of this ordinance, the Director of Innovation and Technology shall report to Council regarding the implementation of Section 181.102, as amended by this ordinance, and provide a compilation of the information required for the notices under division (h) of Section 181.102.

Section 34. 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.

jho

5-11-26

Council Members Griffin, Polensek

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REPORT
after second Reading

Councilmembers Griffin, Polensek

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REPORTS

READ FIRST TIME

and referred to Directors of Finance, Law;
Committees on Finance, Diversity Equity, and Inclusion

by the council _____

CITY CLERK

READ SECOND TIME

by the council _____

CITY CLERK

READ THIRD TIME

by the council _____

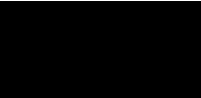
PRESIDENT

CITY CLERK

APPROVED

MAYOR

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