

# Ordinance No. 1165-2024

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

## AN EMERGENCY ORDINANCE

Authorizing the Director of Public Utilities to enter into one or more requirement contracts without competitive bidding with Ohio Machinery Co., dba Ohio CAT for replacement parts for Caterpillar heavy duty construction equipment, and labor and materials to repair and maintain the proprietary equipment, for the Divisions of Water Pollution Control and Water, Department of Public Utilities, for a term of two years.

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 Ohio Machinery Co., dba Ohio CAT (“Ohio CAT”). Therefore, the Director of Public Utilities is authorized to make one or more written requirement contracts with Ohio CAT on the basis of their proposal dated September 17, 2024, for the requirements for a term of two years for the necessary items of replacement parts for Caterpillar heavy duty construction equipment, and labor and materials to repair and maintain the proprietary equipment, to be purchased by the Commissioner of Purchases and Supplies on a unit basis, for the Divisions of Water Pollution Control and Water, Department of Public Utilities.

Section 2. That under Section 108(b) of the Charter, the purchases and/or services 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/or obtain such services, and may enter into one or more contracts with the vendors and/or consultants selected through that cooperative process.

Section 3. 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. (RQN 2003, RL 2024-35)

Section 4. 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.

MH:nl  
10-28-2024  
FOR: Director Keane

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**REPORT  
after second Reading**

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**READ FIRST TIME on OCTOBER 28, 2024**  
**and referred to DIRECTORS of Public Utilities, Finance, Law;**  
**COMMITTEES on Utilities, Finance Diversity Equity and Inclusion**

**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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**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
UTILITIES**

FILED WITH COMMITTEE

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**PASSAGE RECOMMENDED BY  
COMMITTEE ON  
FINANCE, DIVERSITY, EQUITY  
and INCLUSION**

FILED WITH COMMITTEE

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