

**Ordinance No. 595-2019**

**Council Members:** Keane and Kelley (by departmental request)

**An emergency ordinance authorizing the Director of Public Utilities to employ one or more computer software vendors to acquire or renew Cisco maintenance and support, including Cisco Smartnet, for networking and telecommunication software and equipment; and authorizing the purchase by one or more requirement contracts of Cisco hardware and software products, including those used for networking and telecommunication and for the phone system, and maintenance and technical support, for the various divisions of the Department of Public Utilities, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities.**

**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 Utilities is authorized to employ by contract or contracts one or more computer software vendors or one or more firms of computer software vendors for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to acquire or renew Cisco maintenance and support, including Cisco Smartnet for networking and telecommunication software, hardware, and equipment, for a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities.

The selection of the consultants for the services shall be made by the Board of Control on the nomination of the Director of Public Utilities from a list of qualified consultants available for employment, as may be determined after a full and complete canvass by the Director of Public Utilities for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of Control. The contract or contracts authorized shall be prepared by the Director of Law, approved by the Director of Public Utilities, and certified by the Director of Finance.

**Section 2.** That the Director of Public Utilities 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 a period of one year, with a one-year option to renew, exercisable by the Director of Public Utilities of the necessary items of Cisco hardware and software products, including those used for networking and telecommunication and for the phone system, including maintenance and technical support which have not been acquired under the professional services contract authorized above, in the approximate amount as purchased during the preceding term, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the various divisions of 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. Alternate bids for a period less than the specified term may be taken if desired by the Commissioner of Purchases and Supplies until provision is made for the requirements for the entire term.

**Section 3.** That under division (b) of Section 108 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 Director of Public Utilities is authorized to enter into any third-party software license agreements necessary to effectuate the purposes of 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 the cost of the contract or contracts authorized shall be paid from Fund No. 52 SF 001. (RQS 2002, RL 2019-34)

**Section 7.** 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.

**Passed June 3, 2019.**

**Effective June 5, 2019.**