

Ordinance No. 957-2020

By Council Members: Kazy and Kelley (by departmental request)

An emergency ordinance authorizing the purchase by one or more requirement contracts of landscape materials, supplies and services, including labor and materials, needed to maintain, test, install, replace, improve, restore, and refurbish landscaping and tree lawns located at City-owned or leased Public Utility facilities and City rights-of-way, for the Divisions of Water, Water Pollution Control, and Cleveland Public Power, and the Office of Radio Communications, Department of Public Utilities, for a period 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 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 two years of the necessary items of landscape materials, supplies and services, including labor and materials, needed to maintain, test, install, replace, improve, and refurbish landscaping located at City-owned or leased Public Utility facilities, including but not limited to buildings, yards, structures, stations, towers, substations, and City rights-of-way, 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 Divisions of Water, Water Pollution Control, and Cleveland Public Power, and the Office of Radio Communications, 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 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 two years of the necessary items of landscape materials, supplies, and services, including labor and materials, to install, replace, and restore tree lawns damaged due to utility work performed by the Department of Public Utilities, 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 Divisions of Water, Water Pollution Control, Cleveland Public Power, and the Office of Radio Communications, 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 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 2002, RL 2020-41)

Section 4. 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 5. 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 January 20, 2021.

Effective January 26, 2021.