

Ordinance No. 711-2025

By Council Members Bishop, Hairston, McCormack and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Directors of City Planning, Capital Projects, and Public Works to apply for and accept grants from the Ohio Department of Transportation for the implementation of the multimodal transportation Cleveland Moves plan; authorizing the Directors of City Planning, Capital Projects and Public Works or appropriate Director, to enter into contracts to implement the grants; determining the method of making the public improvements of constructing safety and multimodal improvements on several roadway segments and authorizing contracts to make the improvements; to apply for and accept any gifts or grants from any public or private entity; authorizing the Commissioner of Purchases and Supplies to acquire, accept and record real property and easements that are necessary for the improvement; and authorizing other agreements.

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 Directors of City Planning, Capital Projects, and/or Public Works is authorized to apply for and accept grants in the approximate cumulative amount of \$7,000,000.00 from the Ohio Department of Transportation, and any other funds from public or private entities that may become available, to implement the multimodal transportation plan, Cleveland Moves; that the directors are authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in the legislative summary for the grant contained in the file described below.

Section 2. That the legislative summary for the grant, **File No. 711-2025-A**, made a part of this ordinance as if fully rewritten, including the obligation of the City of Cleveland to provide \$1,200,00.00 in cash matching funds payable from the fund or funds to which are credited the proceeds from the sale of future bonds, if authorized for this purpose, is approved in all respects and shall not be changed without additional legislative authority. (RQS 0110, RLA 2025-38)

Section 3. That the Director of City Planning is authorized to extend the term of the grants during the grant terms.

Section 4. That the Directors of City Planning, Capital Projects, and/or Public Works, are authorized to employ by contract or contracts one or more consultants or

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one or more firms of consultants for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland in order to provide professional services, including but not limited to, design, engineering, and construction services necessary for the Improvements defined below and project management services.

The selection of the consultant or consultants for the services shall be made by the Board of Control on the nomination of the Director of City Planning, or appropriate Director, from a list of qualified consultants available for employment as may be determined after a full and complete canvass by the appropriate Director 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 appropriate Director, and certified by the Director of Finance.

Section 5. That under Section 167 of the Charter of the City of Cleveland, it is determined to make the public improvements of safety improvements along E. 55th Street including high visibility crosswalks, roadway restriping, and the addition of protected bike lanes; design of over 23 miles of separated quick build bikeways in Cleveland; construction of critical separated bikeway connections; and the purchase and installation of quick-build materials including modular bus boarding platforms and approximately 10 miles worth of delineators for bicycle lane separation(the “Improvements”), for the Director of Capital Projects by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding on a unit basis for the improvement.

Section 6. That the Director of Capital Projects is authorized to enter into one or more contracts for the making of the public improvement with the lowest responsible bidder after competitive bidding on a unit basis for the Improvements, provided, however, that each separate trade and each distinct component part of the improvement may be treated as a separate improvement, and each, or any combination, of the trades or components may be the subject of a separate contract on a unit basis.

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Section 7. That the Director of Capital Projects, or appropriate Director, is authorized to apply and pay for permits, licenses, or other authorizations required by any regulatory agency or public authority to permit performance of the work authorized by this ordinance.

Section 8. That the Director of City Planning, Capital Projects, and/or Public Works, is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the director, for the necessary items of materials, equipment, supplies, and services needed to implement the grant, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Department of City Planning, or appropriate department. 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.

Section 9. 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 City Planning, Capital Projects, and/or Public Works, 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 10. That the Director of Capital Projects is authorized to accept right-of-entries from private property owners within the Improvement locations where access to private property is necessary to complete the Improvement.

Section 11. That notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Commissioner of Purchases and Supplies is authorized to acquire, accept, and record for right-of-way purposes any real property and easements necessary to make the Improvement, including but not limited to gift, fee simple acquisitions, temporary and permanent easements, and work agreements. The

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consideration to be paid for the property and easements shall not exceed fair market value to be determined by the Board of Control.

Section 12. That the Director of Capital Projects is authorized to execute, on behalf of the City, all documents necessary to acquire, accept, and record the property and easements and to employ and pay all fees for title companies, surveys, escrows, appraisers, and all other costs necessary for the acquisition of the property and easements.

Section 13. That the Director of City Planning, Capital Projects, and/or Public Works is authorized to apply for and accept any gifts or grants for the Improvements from any public or private entity; and that the Director is authorized to file all papers and execute all documents necessary to receive the funds; and that the funds are appropriated for the purposes described in this ordinance.

Section 14. That the Director of City Planning, Capital Projects, and/or Public Works is authorized to enter into any agreements necessary to implement this ordinance.

Section 15. That the cost of the contract or contracts authorized in this ordinance shall be paid from the fund or funds to which are credited the grant proceeds accepted under this ordinance, the cash match, and from the fund or funds to which are credited any gifts and grants received for this purpose.

Section 16. 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.

PMA:uo
6-2-2025
FOR: Director Mersmann

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READ FIRST TIME on JUNE 2, 2025
and referred to DIRECTORS of City Planning Commission,
Capital Projects, and Public Works, Finance, Law;
COMMITTEES on Municipal Services and Properties,
Development Planning and Sustainability,
Transportation and Mobility,
Finance Diversity Equity and Inclusion

REPORTS

CITY CLERK

READ SECOND TIME

CITY CLERK

READ THIRD TIME

PRESIDENT

CITY CLERK

APPROVED

MAYOR

REPORT
after second Reading

PASSAGE RECOMMENDED BY
COMMITTEE ON
MUNICIPAL SERVICES
AND PROPERTIES

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
DEVELOPMENT, PLANNING AND
SUSTAINABILITY

FILED WITH COMMITTEE

PASSAGE RECOMMENDED BY
COMMITTEE ON
TRANSPORTATION and
MOBILITY

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FINANCE, DIVERSITY, EQUITY
and INCLUSION

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