

Ordinance No.601-2026

Desk copy prepared for July 15, 2026, meeting

AN EMERGENCY ORDINANCE

Determining the method of making the public improvement of constructing a new pump station and ground level tank at the Pleasant Valley Road Station and demolishing and removing the existing station and tank; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; authorizing the director to employ one or more professional consultants necessary for the improvement; acquiring, accepting, and recording necessary rights-of-way; and authorizing the Director of Public Utilities and/or Director of Finance to apply for and accept one or more Water Supply Revolving Loan Account loans, grants, and other funding.

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, under Section 167 of the Charter of the City of Cleveland, this Council determines to make the public improvement of constructing a new pump station and ground level tank at the Pleasant Valley Road Station and demolishing and removing the existing station and tank (the "Improvement"), at an estimated cost not to exceed Twenty-Five Million Dollars (\$25,000,000.00) for the Division of Water, Department of Public Utilities, by one or more contracts duly let to the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement.

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Section 2. That the Director of Public Utilities is authorized to enter into one or more contracts for the making of the Improvement with the lowest responsible bidder or bidders after competitive bidding for a gross price for the Improvement, 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 for a gross price. On request of the director, the contractor shall furnish a correct schedule of unit prices, including profit and overhead, for all items constituting units of the Improvement.

Section 3. That the Director of Public Utilities 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 4. That the Director of Public Utilities is authorized to employ by contract or contracts one or more consultants or 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 necessary for the Improvement.

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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 5. 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. The Director of Public Utilities shall provide written notice to the Clerk of Council and the Utilities Committee Chair whenever any purchase is made under this section, which notice shall include the details of any such cooperative purchases.

Section 6. That the Director of Public Utilities and/or the Director of Finance is authorized to apply for and accept one or more Water Supply Revolving Loan Account

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("WSRLA") loans from the Ohio Water Development Authority, the Ohio Environmental Protection Agency (the "Ohio EPA"), or other appropriate state agency to provide partial financing for the Improvement.

Section 7. That the Director of Public Utilities and/or the Director of Finance is authorized to enter into one or more loan agreements with the Ohio Water Development Authority, the Ohio EPA, or other appropriate state agency, for one or more WSRLA loans, which loan agreement or agreements shall contain additional terms that are acceptable to the Director of Law to protect the public interest. The Director of Public Utilities and/or the Director of Finance is further authorized to file all papers and execute all documents necessary to receive the funds under the WSRLA agreement or agreements, and appropriate the loan funds for the purposes set forth in the WSRLA agreement or agreements.

Section 8. That upon execution of the WSRLA agreement or agreements, the Director of Public Utilities and/or the Director of Finance is authorized to repay the loan funds to the WSRLA, in accordance with the terms and conditions of the WSRLA agreement or agreements, from the operating revenues of the Division of Water.

Section 9. The Director of Public Utilities and/or the Director of Finance is authorized to apply for and accept grants, awards and other funding as it may become

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available from the State of Ohio and its state agencies, public agencies and/or pass-through entities approved by the governmental entity and that the appropriate director is authorized to file all papers and execute all documents necessary to receive the funds under the grant or grants, and that the funds are appropriated for the purposes described in this ordinance. Such funds may be principal forgiveness or low-interest twenty-year loans.

Section 10. That, notwithstanding any provision of the Codified Ordinances of Cleveland, Ohio, 1976, to the contrary, the Mayor and the Commissioner of Purchases and Supplies are authorized to acquire, accept, and record for right-of-way purposes any real property, including but not limited to, fee simple acquisitions, temporary easements, permanent easements, and work agreements as necessary to make the Improvement. The consideration to be paid for the property and easements shall not exceed fair market value, as determined by the Board of Control.

Section 11. That the Director of Public Utilities is authorized to execute on behalf of the City of Cleveland 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.

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Section 12. That the costs of the contracts and other expenditures authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 258, from the fund or funds to which are credited the loan proceeds received under any WSRLA loan agreement, from the fund or funds to which are credited any other loan and grant funds received, from the fund or funds to which are credited the proceeds from the sale of future bonds, if issued for the purpose of the contract(s) and/or expenditures authorized by this ordinance, ~~and from other funds approved by the Director of Finance.~~ (RQS 2002, RLA 2026-49)

Section 13. 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.

AP:nl
5-11-26

FOR: Director Keane

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REPORT

after second Reading

Mr.
An Emergency Ordinance determining the method of making the public improvement of constructing a new pump station and ground level tank at the Pleasant Valley Road Station and demolishing and removing the existing station and tank; authorizing the Director of Public Utilities to enter into one or more public improvement contracts to construct the improvement; acquiring, accepting, and recording necessary rights-of-way; authorizing the director to employ one or more professional consultants necessary for the improvement; and authorizing the Director of Public Utilities and/or Director of Finance to apply for and accept one or more Water Supply Revolving Loan Account loans, grants, and other funding.

READ FIRST TIME

REPORTS

and referred to

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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