

# Ordinance No.1447-2019

Council Members Kazy, Keane and Kelley  
(by departmental request)

## AN EMERGENCY ORDINANCE

Determining the method of making the public improvement of maintaining and improving the interior and exterior of various buildings and sites, including but not limited to, roofs and related building and site systems; 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 to design the improvement; and authorizing the Director to apply for and accept any grants, including but not limited to, grants from the Northeast Ohio Regional Sewer District for Community Cost Share Program funding, for a period of two years.

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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 maintaining and improving the interior and exterior of various buildings and sites, including but not limited to, roofs, and related building and site systems (the “Improvement”), for the various divisions of the Department of Public Utilities, 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 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 on a unit basis 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 on a unit basis.

**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 to design the Improvement, for a period of two years.

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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 the Director of Public Utilities is authorized to apply for and accept one or more grants from various public or private entities to make the Improvement, including but not limited to, the Northeast Ohio Regional Sewer District (“NEORS”) for Community Cost-Share Program funding or other funding to implement the Improvement; that the Director is authorized to file all papers and execute all documents necessary to receive the funds under the grants; and that the funds are appropriated for the purposes described in the grants.

**Section 6.** That the Director of Public Utilities is authorized to enter into any agreements necessary to implement this ordinance.

**Section 7.** That the cost of the contracts and other expenditures authorized shall be paid from Fund Nos. 50 SF 001, 50 SF 002, 52 SF 001, 54 SF 001, 58 SF 001, from the fund or funds to which are credited the proceeds from the sale of future bonds, if issued for this purpose, from the fund or funds to which are credited the funding from any grants received for this purpose, and/or from the fund or funds to which are credited the NEORS Community Cost-Share Program funds. RQS 2002, RLA 2019-61)

**Section 8.** 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.

KR:nl  
11-18-19

FOR: Director Davis

