

Ordinance No. 1038-2022

By Council Members McCormack and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Port Control to enter into an amendment to Contract No. MA 1505 RC2019-87 with Nachurs Alpine Solutions, LLC for the purchase of various FAA-approved deicing chemicals to provide a new provision to allow for a modification to the unit prices of the products due to supply issues and rapidly fluctuating prices.

WHEREAS, under Ordinance No. 539-19, passed May 20, 2019 and Board of Control Resolution No. 506-19, adopted October 23, 2019, and after competitive bidding, the Director of Port Control entered into Contract No. MA 1505 RC2019-87 with Nachurs Alpine Solutions, LLC (“Nachurs”) for the purchase of Alpine RF-11 (potassium acetate) and sodium formate needed for the City’s requirements for two years, with two one-year options to renew; and

WHEREAS, the deicing chemicals named above are FAA-approved to maintain all taxiways and runways free and clear of accumulations of snow and ice during the winter season and are critical for public safety; and

WHEREAS, the Department of Port Control and the rest of the aviation industry continue to see rapidly fluctuating costs and disruptions in the supply chain for those critical items and raw material shortages, and rising transportation prices continue to put cost pressure on suppliers; and

WHEREAS, amending the Nachurs contract to provide for the recalculation of the unit prices now and after six months, will allow the Department of Port Control to continue to purchase the required chemicals for deicing purposes; and

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 Port Control is authorized to enter into an amendment to Contract No. MA 1505 RC2019-87 with Nachurs for the purchase of the City’s requirements for Alpine RF-11 (potassium acetate) and sodium formate, to recalculate the unit prices now and after six months for the products due to limited and interruption of supplies and rapidly fluctuating prices.

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Section 2. That the recalculation under the contract amendment listed above shall be based on one or more published, objective, established industry cost indices. All other terms and conditions of the contract shall remain unchanged and in full force and effect.

Section 3. That the above-authorized contract amendment shall be prepared by the Director of Law.

Section 4 That the costs of the contract 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 purchase 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 3001, RL 2019-14)

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.

RS:nl
10-10-2022
FOR: Interim Director Kramer

