

Ordinance No.625-2026

AN EMERGENCY ORDINANCE

Authorizing the purchase by one or more requirement contracts of labor and materials needed to repair, maintain, or replace water mains, fire hydrants, service connections, valves and appurtenances, including tree lawn restoration and other repairs, for the Division of Water; one or more requirement contracts for labor and materials needed for pavement restoration, including installation, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, for a period up to two years; and to apply for and accept any loans or grants from any public or private entity.

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 up to two years of the necessary items of labor and materials needed to repair, maintain, or replace water mains, fire hydrants, service connections, valves and appurtenances, including tree lawn restoration and other repairs, for the Division of Water; one or more requirement contracts for labor and materials needed for pavement restoration, including installation, for the Divisions of Water, Water Pollution Control and Cleveland Public Power, Department of Public Utilities, in the approximate amount of Thirty Million Dollars (\$30,000,000.00) per year ~~as purchased during the preceding term~~, to be purchased by the Commissioner of Purchases and Supplies on a unit basis. 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 2. 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

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that are necessary to make the purchases and/or obtain the 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 3. 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 ("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 to implement this ordinance.

Section 4. 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 5. 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 under the WSRLA in accordance with the terms and conditions of the WSRLA agreement or agreements, from the operating revenues of the Division of Water.

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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 Pollution Control Loan Fund ("WPCLF") loans from the Ohio EPA or Ohio Water Development Authority, or other agencies to provide financing to implement this ordinance; that the appropriate 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 7. The Director of Public Utilities and/or the Director of Finance, as appropriate, is authorized to enter into one or more loan agreements with the Ohio EPA or Ohio Water Development Authority, or other appropriate agency, for one or more WPCLF loans, which loan agreement or agreements shall contain additional terms that are acceptable to the Director of Law to protect the public interest. Upon execution of the WPCLF loan agreement or agreements, the Director of Public Utilities and/or the Director of Finance is authorized to repay the loan funds under the WPCLF in accordance with the terms and conditions of the WPCLF loan agreement or agreements, from the operating revenues of the Division of Water Pollution Control.

Section 8. That 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 available, and other funding from the United States of America and its federal agencies, 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 9. That the Director of Public Utilities is authorized to apply for and accept one or more grants from various public or private entities to implement this

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ordinance, including but not limited to, the Northeast Ohio Regional Sewer District ("NEORS") for Community Cost Share Program funding, or other funding to implement this ordinance; that the appropriate 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 10. That the costs of the contracts and other expenditures authorized shall be paid from Fund Nos. 52 SF 001, 52 SF 258, 54 SF 001, 54 SF 402, 58 SF 001, from the fund or funds to which are credited the loan proceeds received under any WSRLA and/or WPCLF loan agreement, from the fund or funds to which are credited the proceeds from funding received through the NEORS Community Cost Share Program funds, from the fund or funds to which are credited any other loan or 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 other expenditures authorized by this ordinance, ~~and from other funds approved by the Director of Finance.~~
(RQN 2002, RL 2026-17)

Section 11. 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.

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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

