

Ordinance No. 950-2022

**By Council Member Griffin
(by departmental request)**

AN EMERGENCY ORDINANCE

Authorizing the purchase by one or more requirement contracts of natural gas for City facilities; and to employ energy suppliers and/or development firms to supply natural gas to City facilities; for a period of up to three years, with two options to renew of up to one year each, exercisable by the Director of Finance.

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 Finance 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 of up to three years, with two (2) options to renew of up to one year each, exercisable by the Director of Finance, for the purchase of natural gas (per Mcf or Dth) for City facilities serviced by Dominion East Ohio and Columbia Gas in the approximate amount as purchased during preceding terms, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for various divisions of City government. Bids shall be taken in a manner that permits an award to be made for all City natural gas accounts as a single contract, or by separate contract for each or any combination of City natural gas accounts as the Board of Control determines.

Section 2. That the Director of Finance is authorized to employ by contract or contracts one or more energy suppliers and/or development firms to supply natural gas for City buildings serviced by Dominion East Ohio and Columbia Gas, for a period of up to three years, with two (2) options to renew of up to one year each, exercisable by the Director of Finance.

That the selection of the energy supplier and/or development firm or energy suppliers and/or development firms for the services shall be made by the Board of Control on the nomination of the Director of Finance from a list of qualified energy suppliers and/or development firms available for employment as may be determined after a full and complete canvass by the Director of Finance for the purpose of compiling a list. The compensation to be paid for the services shall be fixed by the Board of

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Control. The contract or contracts authorized shall be prepared by the Director of Law, and approved and certified by the Director of Finance.

Section 3. That the Director of Finance is authorized to enter into any supplier agreement authorized above, either for the City alone or jointly with other public entities by combining the energy load of the entities in order to secure better pricing and/or terms of service.

Section 4. That under Section 108(b) of the Charter, the purchases and services authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Finance may sign all documents that are necessary to make the purchases, and may enter into one or more contracts with the vendors selected through that cooperative process.

Section 5. That the Director of Finance is authorized to enter into any other agreements needed to implement the agreements authorized by this ordinance.

Section 6. That the costs of the requirement contract or contracts 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 purchases 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.

Section 7. That the cost of any other service contract or contracts authorized in this ordinance shall be paid from funds approved by the Director of Finance. (RQS 0112, RLA 2022-71)

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.

JBM:nl
9-19-2022
FOR: Director Abonamah

