

Ordinance No. 526-2023

By Council Members McCormack, Bishop, Hairston and Griffin (by departmental request)

AN EMERGENCY ORDINANCE

Authorizing the Director of Capital Projects to enter into one or more agreements with Bedrock Management Services, LLC, or its designees, to provide, or cause to provide, professional services for the detailed design of various public improvements and to accept the donation of the construction of the improvements and to purchase any equipment, materials, supplies, and services for the making of such improvements; authorizing other agreements; and authorizing the Director to apply for and accept any gifts, grants or services from any public or private entity.

WHEREAS, the Cuyahoga Riverfront Masterplan (the “Masterplan”) envisions an activated, integrated, and revitalized waterfront that seamlessly transitions between the varying topography, and the infrastructure improvements envisioned therein will address multi-modal access, diverse land use, and activate public spaces that help transition from urban core and the historic architectural fabric to the riverfront shore with new investments and development; and

WHEREAS, in alignment with the Masterplan and in coordination with other public and private resources, Bedrock Management Services, LLC, or its designees (“Bedrock”), seek to advance critical public infrastructure, right-of-way and public safety investments; and

WHEREAS, Bedrock proposes to provide, or cause to provide, the detailed design and the construction of the following improvements for the City: initial improvements to West 3rd Street, including but not limited to, paving, street amenities, and utility improvements; sewer and sewer facility improvements and/or relocation, including but not limited to force mains and pump stations; and the demolition of current Eagle Ramp facilities from West 3rd Street to Ontario Street under plans and specifications acceptable to the City of Cleveland (the “Improvements”); 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:

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Section 1. That the Director of Capital Projects is authorized to enter into one or more contracts with Bedrock for the purpose of supplementing the regularly employed staff of the several departments of the City of Cleveland to provide, or cause to provide, professional services for the detailed design of the Improvements.

Section 2. That the contract or contracts with Bedrock may provide that the Director of Capital Projects is authorized to accept construction of the Improvements as a gift to the City, including equipment, materials, supplies, and services provided by Bedrock for the Improvements, the value of said gift is estimated to be \$ 4,156,696, and to provide any necessary items purchased under this ordinance for the Improvements; and that the Director is authorized to file all papers, execute all documents and do all things necessary to consent to the construction of the Improvements and to accept the gift of the Improvements.

Section 3. That the Director of Capital Projects is authorized to make one or more written standard purchase contracts and written requirement contracts under the Charter and the Codified Ordinances of Cleveland, Ohio, 1976, the period of requirements to be determined by the Director, for the necessary items of materials, equipment, supplies, and services needed for the Improvements, including but not limited to, steel beams for the Eagle Avenue Bridge, to be purchased by the Commissioner of Purchases and Supplies on a unit basis for the Office of Capital Projects. 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 4. That under Section 108(b) of the Charter, the purchases authorized by this ordinance may be made through cooperative arrangements with other governmental agencies. The Director of Capital Projects 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.

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Section 5. That the Director of Capital Projects, or any other appropriate director, 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 Improvements.

Section 6. That the Director of Capital Projects and other appropriate City officials are authorized to execute any other documents or certificates, and take any other action necessary for the Improvements.

Section 7. That the contracts authorized by this ordinance shall be prepared by the Director of Law and contain such terms and conditions as the Director of Law determines necessary to protect the public interest, approved by the Director of Capital Projects, and certified by the Director of Finance.

Section 8. That the Director of Capital Projects is authorized to apply for and accept any other gifts, grants, or services for the Improvements from any public or private entity; and that the director is authorized to file all papers and execute all documents necessary to receive any gift, grant funds or services and that any funds received are appropriated for the purposes described in this ordinance.

Section 9. That the costs of this ordinance shall not exceed \$3,000,000, and shall be paid from the fund or funds to which are credited any gift or grant funds accepted under this ordinance, and from any other funds approved by the Director of Finance. (RQS 0103, RL 2023-53)

Section 10. 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.

SM:nl
4-24-2023
FOR: Director DeRosa

